



MINUTES
South Dakota Board of Nursing
Board of Directors
September 10-11, 2013

Board Members:

Diana Berkland, RN; President, Absent
Christine Callaghan, LPN, Absent
Teresa Disburg, RN; Secretary, Absent
John Jones, Public Member, Absent
June Larson, RN; Vice President
Adrian Mohr, Public Member
Jean Murphy, RN
Nancy Nelson, RN
Sharon Neuharth, LPN
Kristin Possehl, RN
Mary C. Schmidt, LPN

Staff Present:

Gloria Damgaard, RN, Executive Director
Stephanie Orth, RN, Nursing Program Specialist
Kathleen Tinklenberg, RN, Nursing Program Specialist
Linda Young, RN, Nursing Program Specialists
Erin Matthies, Licensure Operations Manager
Jill Vanderbush, Licensure Specialist
Robert Garrigan, Business Manager
Kristine O'Connell, Board Attorney

Guests:

Brad Henrich-Western Dakota Tech, Dean Enrollment Services
Renee' Zacher-Western Dakota Tech
Jennifer Seals-Western Dakota Tech, Associate Dean of Academics
Kelly Oehlerking, Western Dakota Tech, Dean of Academics

- 1. Call to Order and Roll Call** Vice President J Larson called the meeting to order at 9:25am on September 10, 2013.
- 2. July 18 & 19, 2013 Board Meeting Minutes** The July 18 & 19, 2013 Board Meeting minutes were approved in a unanimous voice vote with corrections.
- 3. Agenda Approval**
- MOTION** The Board moved to approve the agenda as presented in a unanimous voice vote.
- 4. Financial Report** R Garrigan presented the FY 2013 Annual report and responded to Board questions. The report was approved in a unanimous voice vote.
- 5. Reports**
- A. Accreditation Commission for Education in Nursing (ACEN) New York Supreme Court Letter** S Orth reported that this is an ongoing lawsuit that is not affecting processes or timeframes for accreditation. She responded to Board questions.
- B. 2nd Quarter 2013 NCLEX Report** S Orth reported on the summary findings including the passing rates significantly decreasing if students wait to test. She responded to Board questions.
- C. 2012 CORE State Report – Vol 1: Discipline** Deferred until November Board Meeting.
- D. South Dakota Action Coalition** L Young reported that the Coalition met and went through action items for future meetings to be held quarterly. She also reported on barriers to practicing by APRNs.
- E. South Dakota Center for Nursing Workforce** L Young reported that she will be attending a South Dakota Rural Health event held in Chamberlain along with G Damgaard.
- F. NCSBN Delegate Assembly** G Damgaard reported that in 2014 a new passing standard will be adopted for PNs. Also reported was a revised NCSBN membership agreement that removed the \$3000 membership fee.
- G. Annual SD BON APN Advisory Committee Meeting** L Young shared the minutes of the last meeting along with information regarding out of hospital births and the future direction of the APRN consensus model.
- MOTION** N Nelson moved that the South Dakota Board of Nursing appoint S. Jo Gibson to the SDBON Advanced Practice Nursing Advisory Committee to fill the position and unexpired term vacated by Nancy Kertz. Seconded by M Schmidt.
- | | | | | | |
|-----------|--------|--------|-----|----------|----------------|
| Berkland | Absent | Larson | Yes | Neuharth | Yes |
| Callaghan | Absent | Murphy | Yes | Possehl | Yes |
| Disburg | Absent | Mohr | Yes | Schmidt | Yes |
| Jones | Absent | Nelson | Yes | 7 Yes | MOTION Carried |
- H. Diabetes Virtual Nurse Project** G Damgaard reported the Virtual Nurse Project for School Children with Diabetes is completed as of the end of the 2012-2013 school year. Results will be published and the manuscript is completed. G Damgaard expressed gratitude to the National Council State Boards of Nursing (NCSBN) and the SD Department of Health for their financial support of the project. She also expressed gratitude to

NCSBN for providing a statistician for analysis of the data. Results of the clinical outcome data and the pre and post survey data support this model of nursing delegation as safe, including the delegation of insulin administration.

6. Open Forum

No one requested the opportunity to address the Board.

7. Environmental Scan

A. NCSBN Elects New Members to its Board of Directors during its 2013 Annual Meeting

G Damgaard reported on the newly elected members and responded to Board questions.

B. Court upholds NLN Position in Litigation with ACEN

S Orth reported on the court ruling in NLN's favor and responded to Board questions.

C. Potential Amendment Giving Nurses Home Health Authorization to Federal Sustainable Growth Rate (SGR) Formula Bill

G Damgaard reported that this would allow NP more flexibility so this is a positive step for home health. She responded to Board questions.

D. California Supreme Court Rules that Unlicensed School Personnel Can Administer Insulin

G Damgaard presented the report and responded to Board questions.

E. NCLEX Paperless Initiatives

S Orth reported that this initiative will negate paper applications, checks, cash and Authorizations To Test (ATT).

F. NCSBN Considers Pertinent Association Business with its Member Boards of Nursing at its 2013 Annual Meeting

G Damgaard reported that of the sixty member boards, fifty-seven were in attendance. She responded to Board questions.

8. Unfinished Business

A. Licensure Database Update

E Matthies reported the new database went live on June 12, 2013. She reported that online renewals and endorsement applications are increasing.

B. Medication Assistant Registry Update

L Young reported that K O'Connell, Board Attorney, is completing a legal review of the proposed Medication Assistant Registry policy. This item will be discussed at the November Board meeting.

9. New Business

A. Dean Position Change at South Dakota State University (SDSU)

S Orth reported that the new Dean, Dr. Nancy Fahrenwald, has been with SDSU since 1995 and is excited to take on this new challenge.

B. Use of Fingerprint Technology at PPC's

S Orth presented information from NCSBN about palm vein scans being used to obtain entry into testing centers for the NCLEX.

- C. Department of Veterans Affairs (VA) National Policy on Advanced Practice Registered Nurses G Damgaard received letter sent to Executive Officers of Boards of Nursing discussing federal supremacy clause for APRNs practicing within the VA system, stating that the APRNs are practicing independently under the clause and therefore, don't need a collaborative agreement.
- D. Sinte Gleska Site Visit Deferred until November Board Meeting.
- E. SD Board of Medicine Hearing: Petition for Declaratory Ruling on Immunizations G Damgaard presented information for the Joint Board Meeting (held on September 11, 2013) and responded to questions.
- F. Discipline Minutes of the July 2013 Discipline Committee Minutes were approved by the Committee prior to this meeting.

Consent Agenda Approval August 2013

- 1) Jessica Ann Ault, R038256, Letter of Reprimand
- 4) M.M.I.-Mandate HPAP five years
- 5) J.M.O.-Board Dismissal
- 8) Rene Lyn Alexander, R030715, Letter of Reprimand and Remediation
- 9) S.J.H.-Letter of Concern and Remediation
- 10) S.L.K.-Letter of Concern and Remediation
- 11) M.L.E.-Board Dismissal
- 12) R.A.F.-Board Dismissal
- 13) Laura J. Nelson, P008326-Letter of Reprimand
- 14) M.M.S.-Board Dismissal
- 16) Rochelle Hunter-Cease and Desist
- 17) K.S.B.-Letter of Concern
- 19) C.S.F.-Grant Licensure
- 20) L.M.G.-Grant Licensure
- 22) M.C.L.-Grant Licensure

MOTION

J Murphy moved that the South Dakota Board of Nursing approve the Consent Agenda provided by the Discipline Committee with the exception of cases #2JAB, #3KLR, #6CJS, #7SLG, #15ERB, #18SAH, #21SMH and #23AMR. Seconded by S Neuharth.

Berkland	Absent	Larson	Yes	Neuharth	Yes
Callaghan	Absent	Murphy	Yes	Possehl	Yes
Disburg	Absent	Mohr	Yes	Schmidt	Yes
Jones	Absent	Nelson	Yes	7 Yes	MOTION Carried

J.A.B.-K Tinklenberg, Nursing Program Specialist, presented background. N Nelson recused herself.

MOTION

K Possehl moved that the South Dakota Board of Nursing request continued Voluntary Refrain from Practice and Evaluation of J.A.B. Seconded by M Schmidt.

Berkland	Absent	Larson	Yes	Neuharth	Yes
Callaghan	Absent	Murphy	Yes	Possehl	Yes
Disburg	Absent	Mohr	Yes	Schmidt	Yes
Jones	Absent	Nelson	Recused	6 Yes	MOTION Carried

Kerry Lynn Richardson- K Tinklenberg, Nursing Program Specialist, presented background. N Nelson recused herself.

MOTION

K Possehl moved that the South Dakota Board of Nursing issue a Letter of Reprimand to Kerry Lynn Richardson, R023024. Seconded by M Schmidt.

Berkland	Absent	Larson	Yes	Neuharth	Yes
Callaghan	Absent	Murphy	Yes	Possehl	Yes
Disburg	Absent	Mohr	Yes	Schmidt	Yes
Jones	Absent	Nelson	Recused	6 Yes	MOTION Carried

Christina Loyce Sasse- K Tinklenberg, Nursing Program Specialist, presented background. K Possehl recused herself.

MOTION

J Murphy moved that the South Dakota Board of Nursing request Voluntary Surrender of the LPN license Christina Joyce Sasse. If not agreed upon, summarily suspend the license and notice of hearing. Seconded by S Neuharth.

Berkland	Absent	Larson	Yes	Neuharth	Yes
Callaghan	Absent	Murphy	Yes	Possehl	Recused
Disburg	Absent	Mohr	Yes	Schmidt	Yes
Jones	Absent	Nelson	Yes	6 Yes	MOTION Carried

S.L.B.- K Tinklenberg, Nursing Program Specialist, presented background. K Possehl recused herself.

MOTION

S Neuharth moved that the South Dakota Board of Nursing issue a Letter of Concern to S.L.B. Seconded by J Murphy.

Berkland	Absent	Larson	Yes	Neuharth	Yes
Callaghan	Absent	Murphy	Yes	Possehl	Recused
Disburg	Absent	Mohr	Yes	Schmidt	Yes
Jones	Absent	Nelson	Yes	6 Yes	MOTION Carried

E.R.B.- K Tinklenberg, Nursing Program Specialist, presented background. A Mohr recused himself.

MOTION

K Possehl moved that the South Dakota Board of Nursing request continued Voluntary Refrain from Practice and Evaluation of E.R.B. Seconded by S Neuharth.

Berkland	Absent	Larson	Yes	Neuharth	Yes
Callaghan	Absent	Murphy	Yes	Possehl	Yes
Disburg	Absent	Mohr	Recused	Schmidt	Yes
Jones	Absent	Nelson	Yes	6 Yes	MOTION Carried

S.A.H.- K Tinklenberg, Nursing Program Specialist, presented background. K Possehl recused herself.

MOTION

S Neuharth moved that the South Dakota Board of Nursing request a Formal Appearance of S.A.H. Seconded by J Murphy.

Berkland	Absent	Larson	Yes	Neuharth	Yes
Callaghan	Absent	Murphy	Yes	Possehl	Recused
Disburg	Absent	Mohr	Yes	Schmidt	Yes

Jones Absent Nelson Yes 6 Yes MOTION Carried

S.M.H.- K Tinklenberg, Nursing Program Specialist, presented background. K Possehl recused herself.

MOTION

S Neuharth moved that the South Dakota Board of Nursing dismiss the complaint against S.M.H. Seconded by J Murphy.

Berkland Absent Larson Yes Neuharth Yes
Callaghan Absent Murphy Yes Possehl Recused
Disburg Absent Mohr Yes Schmidt Yes
Jones Absent Nelson Yes 6 Yes MOTION Carried

A.M.R.- K Tinklenberg, Nursing Program Specialist, presented background. K Possehl recused herself.

MOTION

S Neuharth moved that the South Dakota Board of Nursing Grant Licensure to A.M.R. upon Receipt of Sufficient Letter of Explanation and Court Documents. Seconded by J Murphy.

Berkland Absent Larson Yes Neuharth Yes
Callaghan Absent Murphy Yes Possehl Recused
Disburg Absent Mohr Yes Schmidt Yes
Jones Absent Nelson Yes 6 Yes MOTION Carried

Douglas James Ell, CR000595, R018164- S Orth, Nursing Program Specialist, presented background. A Mohr recused himself.

MOTION

J Murphy moved that the South Dakota Board of Nursing accept the Voluntary Surrender of the CRNA and RN licenses of Douglas James Ell. Seconded by N Nelson.

Berkland Absent Larson Yes Neuharth Yes
Callaghan Absent Murphy Yes Possehl Yes
Disburg Absent Mohr Recused Schmidt Yes
Jones Absent Nelson Yes 6 Yes MOTION Carried

C.B.- K Tinklenberg, Nursing Program Specialist, presented background.

MOTION

K Possehl moved that the South Dakota Board of Nursing grant PN licensure to C.B. upon successful completion of NCLEX-PN. Seconded by M Schmidt.

Berkland Absent Larson Yes Neuharth Yes
Callaghan Absent Murphy Yes Possehl Yes
Disburg Absent Mohr Yes Schmidt Yes
Jones Absent Nelson Yes 7 Yes MOTION Carried

Hildreth Danae Rodlund, P010134- Formal Appearance, K Tinklenberg, Nursing Program Specialist, presented background. H Rodlund was present to address the Board.

MOTION

K Possehl moved that the South Dakota Board of Nursing deny the reinstatement request for the PN license of Hildreth Danae Rodlund. Seconded by N Nelson.

Berkland Absent Larson Yes Neuharth Yes
Callaghan Absent Murphy Yes Possehl Yes

Disburg	Absent	Mohr	Yes	Schmidt	Yes
Jones	Absent	Nelson	Yes	7 Yes	MOTION Carried

Jacquelyn Joy Wickstrom, R029423-Formal Hearing with Judge Hillary Brady presiding and Board Attorney K O'Connell presenting background. J Wickstrom's attorney, Reed Mahlke, presented background and J Wickstrom responded to Board questions.

MOTION N Nelson moved that the South Dakota Board of Nursing indefinitely suspend the license of Jacquelyn Wickstrom.

Berkland	Absent	Larson	Yes	Neuharth	Yes
Callaghan	Absent	Murphy	Yes	Possehl	Yes
Disburg	Absent	Mohr	Yes	Schmidt	Yes
Jones	Absent	Nelson	Yes	7 Yes	MOTION Carried

G. South Dakota Advisory Committee Membership L Young distributed information about the membership and responded to Board questions.

MOTION K Possehl moved that the SD Board of Nursing appoint 2 CRNA members to the APN Advisory Committee to serve a term of three years, with no appointee to serve more than three consecutive terms. Seconded by J Murphy.

Berkland	Absent	Larson	Yes	Neuharth	Yes
Callaghan	Absent	Murphy	Yes	Possehl	Yes
Disburg	Absent	Mohr	Yes	Schmidt	Yes
Jones	Absent	Nelson	Yes	7 Yes	MOTION Carried

H. Personnel

MOTION N Nelson moved to enter executive session, pursuant to SDCL§ 1-25-1(3) for the purpose of Personnel. Seconded by M Schmidt.

Berkland	Absent	Larson	Yes	Neuharth	Yes
Callaghan	Absent	Murphy	Yes	Possehl	Yes
Disburg	Absent	Mohr	Yes	Schmidt	Yes
Jones	Absent	Nelson	Yes	7 Yes	MOTION Carried

MOTION K Possehl moved that the South Dakota Board of Nursing authorize the Executive Officer to explore security options for the Board office. Seconded by N Nelson.

Berkland	Absent	Larson	Yes	Neuharth	Yes
Callaghan	Absent	Murphy	Yes	Possehl	Yes
Disburg	Absent	Mohr	Yes	Schmidt	Yes
Jones	Absent	Nelson	Yes	7 Yes	MOTION Carried

I. Western Dakota Tech (WDT) Probationary Status Update S Orth presented and responded to Board questions. Kelly Oehlerking, Western Dakota Tech, Dean of Academics was also on hand to present and respond to Board questions.

MOTION J Murphy moved that the South Dakota Board of Nursing notice WDT PN Program of the Boards intent to withdraw approval of the nursing program for non-compliance of the standards for approval of Nursing Education Programs, ARSD 20:48:07. The program has a period of 6 months or until March 31, 2014 to comply with standards. If standards are not

met at that time, a hearing will be held to consider involuntary closure of the program.
Seconded by Mary Schmidt

Berkland	Absent	Larson	Yes	Neuharth	Yes
Callaghan	Absent	Murphy	Yes	Possehl	Yes
Disburg	Absent	Mohr	Yes	Schmidt	Yes
Jones	Absent	Nelson	Yes	7 Yes	MOTION Carried

10. Upcoming Events

NCSBN Leadership and Public Policy Conference, Rapid City, September 17-19, 2013
Family Nurse Practitioner and Physician Follow-up Meeting, Sioux Falls, October 10, 2013
Virtual Nurse Diabetes Focus Group, Sioux Falls, October 16, 2013

MOTION

N Nelson moved that the South Dakota Board of Nursing support the travel request for Adrian Mohr and Gloria Damgaard to attend the Citizens Advocacy Meeting, October 29 & 30, 2013 in Seattle, WA and Gloria Damgaard to attend Executive Officer Forum in Chicago, November 18 & 19, 2013.

Berkland	Absent	Larson	Yes	Neuharth	Yes
Callaghan	Absent	Murphy	Yes	Possehl	Yes
Disburg	Absent	Mohr	Yes	Schmidt	Yes
Jones	Absent	Nelson	Yes	7 Yes	MOTION Carried

MOTION

J Murphy moved that the South Dakota Board of Nursing support Stephanie Orth's participation for travel to NCSBN's NCLEX Item Review Subcommittee (NIRSC) meetings.

Berkland	Absent	Larson	Yes	Neuharth	Yes
Callaghan	Absent	Murphy	Yes	Possehl	Yes
Disburg	Absent	Mohr	Yes	Schmidt	Yes
Jones	Absent	Nelson	Yes	7 Yes	MOTION Carried

Adjourned at 3:20