



MINUTES
South Dakota Board of Nursing
Board of Directors

September 10-11, 2015

Board Members:

Darlene Bergeleen, RN
 Diana Berkland, RN
 Christine Callaghan, LPN
 June Larson, RN
 Adrian Mohr; Public Member-Absent
 Jean Murphy, RN
 Nancy Nelson, RN; Vice President
 Sharon Neuharth, LPN-Absent
 Betty Oldenkamp; Public Member-Absent
 Kristin Possehl, RN; President
 Mary Schmidt, LPN; Secretary

Staff Present:

Gloria Damgaard, RN, Executive Director
 Francie Miller, RN, Nursing Program Specialist
 Stephanie Orth, RN, Nursing Program Specialist
 Linda Young, RN, Nursing Program Specialist
 Erin Matthies, Licensure Operations Manager
 Jill Vanderbush, Program Assistant I
 Robert Garrigan, Business Manager
 Winora Robles, Program Assistant I
 Kristine O'Connell, Board Attorney

Guests:

Maria Eining	Health Professionals Assistant Program
Wendy Mead	South Dakota Association of Health Care Organizations

1. Call to Order and Roll Call

President K Possehl called the meeting to order at 9:54 am on September 10, 2015.

2. June 11-12, 2015 Board Meeting Minutes

The June 11-12, 2015 Board Meeting minutes were approved with editorial changes in a unanimous voice vote.

3. Agenda Approval

The Board moved to approve the agenda in a unanimous voice vote.

4. Financial Reports

R Garrigan presented the Financial Report for FY 2015 and 2016 and responded to Board questions.

MOTION

J Larson moved that the South Dakota Board of Nursing accept the financial reports as presented and the Annual Report (9C) to the Department of Health. Seconded by D Berkland.

Bergeleen	Yes	Mohr	Absent	Oldenkamp	Absent
Berkland	Yes	Murphy	Yes	Possehl	Yes
Callaghan	Yes	Nelson	Yes	Schmidt	Yes
Larson	Yes	Neuharth	Absent	8 Yes	MOTION Carried

5. Reports

A) NCLEX Report

S Orth reported on the 2nd quarter NCLEX pass rates. She responded to Board questions.

B) Licensure and Operations Report

E Matthies presented a licensure and operations report. She reported that South Dakota has surpassed 20,000 licensed RN/LPN/APRNs. Matthies also provided a report on the progress of the unlicensed assistive personnel registry; the database is now live to the public. Nearly 1,800 medication aides are registered, 49 dialysis technicians, and over 9,000 certified nurse aides. She responded to Board questions.

C) National Council of State Boards of Nursing (NCSBN) 2015 Delegate Assembly Report

G Damgaard, D Berkland, K Possehl and L Young attended NCSBN's 2015 Annual Meeting which gathered nurse regulators from all over the country. They reported on regulatory issues discussed which included content on nursing licensure exams, education standards, disciplinary issues, and advanced practice registered nurse (APRN) regulation. D Berkland, K Possehl served as South Dakota's representing delegates; the delegates voted to elect individuals to serve in NCSBN leadership positions. They responded to Board questions.

D) NLCA Annual Meeting Report

G Damgaard provided a report on the existing multistate nurse licensure compact and provided an update on the language of the new compact that states will be introducing into their next legislative sessions. States are encouraged to adopt the new compact language.

E) Department of Health (DOH) Board Executive Director Meeting

G Damgaard provided a report on the DOH Executive Director meeting and responded to Board questions. She also shared information on travel reimbursement changes and fiscal updates.

6. Open Forum

Nobody requested the opportunity to address the Board.

7. Environmental Scan

A) NCSBN Communication

G Damgaard shared this as an informational piece for the Board.

B) Scholarship Recipient Thank You Notes

G Damgaard shared this as an informational piece for the Board.

C) South Dakota State University (SDSU) Thank You Note

G Damgaard shared this as an informational piece for the Board.

8. Unfinished Business

A) Strategic Plan

Deferred until next meeting.

B) Oglala Lakota College (OLC)

S Orth reported on OLC’s administrative changes.

C) SDCL 36-9 Amendments

G Damgaard presented proposed amendment to SDCL 36-9; additional editorial changes were requested by the Board. G Damgaard will make changes as directed.

MOTION

D Berkland moved that the South Dakota Board of Nursing adopt the amendment of SDCL 36-9 as revised at the September 10-11, 2015 board meeting and direct staff to move forward with the preparation of legislation in 2016 legislative session. Seconded by J Larson.

Bergeleen	Yes	Mohr	Absent	Oldenkamp	Absent
Berkland	Yes	Murphy	Yes	Possehl	Yes
Callaghan	Yes	Nelson	Yes	Schmidt	Yes
Larson	Yes	Neuharth	Absent	8 Yes	MOTION Carried

D) SD Center for Nursing Workforce (CNW)/EmBe Leadership Academy

L Young updated the Board on the development of the first Nursing Leadership Academy program. The Board approved funding for the program at their June 2015 meeting. The CNW has partnered with EmBe to coordinate the program for 25 participants; G Damgaard reported that the state contract with EmBe is in process. The first leadership session will be held in January 2016. They responded to Board questions.

E) Journal of Nursing Regulation Publication

G Damgaard and L Young shared their published article on Transitioning the Virtual Nursing Care for School Children with Diabetes.

F) LATI ACEN Accreditation Letter

S Orth reported that LATI has been issued ACEN accreditation through 2021.

G) Sisseton Wahpeton College (SWC) Update

S Orth reported on faculty resignations at SWC, the lack of faculty available to teach in SWC’s PN program has lead to the decision by SWC’s administration to place their PN program on hold for Fall 2015.

MOTION

N Nelson moved that the South Dakota Board of Nursing accept the report from SWC indicating the placement of the LPN program on hold. Seconded by J Larson.

Bergeleen	Yes	Mohr	Absent	Oldenkamp	Absent
Berkland	Yes	Murphy	Yes	Possehl	Yes
Callaghan	Yes	Nelson	Yes	Schmidt	Yes
Larson	Yes	Neuharth	Absent	8 Yes	MOTION Carried

9. New Business

A) Personnel

The Board moved to enter executive session, pursuant to SDCL§ 1-25-1(3) for the purpose of Personnel.

B) Standard Setting Report

S Orth reported on the development of the Medication Aide Exam. She responded to Board questions.

MOTION

D Berkland moved that the South Dakota Board of Nursing approve the Medication Aide Exam passing standard as proposed by the Standard Setting Committee. Seconded by J Larson.

Bergeleen	Yes	Mohr	Absent	Oldenkamp	Absent
Berkland	Yes	Murphy	Yes	Possehl	Yes
Callaghan	Yes	Nelson	Yes	Schmidt	Yes
Larson	Yes	Neuharth	Absent	8 Yes	MOTION Carried

C) Annual Report to Department of Health (DOH)

R Garrigan presented the 2015 Annual Report to the DOH. He responded to Board questions.

D) Josef Silny Request for Approval as Credentials Review Agency

G Damgaard presented information about the foreign education credentialing service that Josef Silny provides.

MOTION

N Nelson moved that the South Dakota Board of Nursing accept Josef Silny & Associates to add their company as an approved foreign credential evaluation service. Seconded by D Bergeleen.

Bergeleen	Yes	Mohr	Absent	Oldenkamp	Absent
Berkland	Yes	Murphy	Yes	Possehl	Yes
Callaghan	Yes	Nelson	Yes	Schmidt	Yes
Larson	Yes	Neuharth	Absent	8 Yes	MOTION Carried

E) APRN Advisory Committee Appointments

L Young provided minutes from the previous meeting and the request from E Preszler and R Arends to serve a second term on the committee.

MOTION

D Bergeleen moved that the South Dakota Board of Nursing re-appoint Esther Preszler, CNP and Robin Arends, CNP to a 3 year term to the APRN Advisory Committee. Seconded by N Nelson.

Bergeleen	Yes	Mohr	Absent	Oldenkamp	Absent
Berkland	Yes	Murphy	Yes	Possehl	Yes
Callaghan	Yes	Nelson	Yes	Schmidt	Yes
Larson	Yes	Neuharth	Absent	8 Yes	MOTION Carried

F) Generative Conversation on Potential Mandatory CE for Licensure Renewal- Jolene’s Law

G Damgaard led the discussion. Jolene’s Law was passed in 2014 and a task force was established. The goal of the task force is to increase statewide awareness and to address the issue of child abuse. The taskforce requested the Board discuss the possibility of mandating continuing education (CE) for licensed nurses on child abuse which would increase nursing awareness of the problem and support mandated reporting of abuse. The Board concurred with the importance of the issue; and discussed the opportunities and potential barriers regarding mandating CE.

G) Generative Conversation Distance Education Programs Licensure Requirements

G Damgaard led the discussion on whether nurse educators located in the state of SD, or in a distant online program, need to hold a SD RN license or privilege to practice to teach in a LPN or RN program; or if the nurse teaching in an APRN program needs to hold an APRN license. She responded to Board questions.

MOTION

J Murphy moved that the South Dakota Board of Nursing direct staff to inform nursing employers and nursing education programs that the practice of nursing included teaching didactic and clinical nursing education. A South Dakota license, or privilege to practice, is required for all nursing education faculty teaching LPN, RN, or APRN students located within the State of South Dakota.

Seconded by J Larson.

Bergeleen	Yes	Mohr	Absent	Oldenkamp	Absent
Berkland	Yes	Murphy	Yes	Possehl	Yes
Callaghan	Yes	Nelson	Yes	Schmidt	Yes
Larson	Yes	Neuharth	Absent	8 Yes	MOTION Carried

H) Fall 2015 Member Board Review of NCLEX

G Damgaard shared an opportunity for Board members to review the PearsonVue’s NCLEX testing location and process.

I) Presentation College Administrative Change

S Orth reported on administrative changes.

J) National American University (NAU) Administrative Change

S Orth reported on administrative changes.

K) Mount Marty Administrative Changes

S Orth reported on administrative changes.

L) Joint Board Meeting

Deferred. Next meeting date, time and location to be determined.

10. Discipline-8-13-

A) August 2015 Discipline Committee Minutes and Consent Agenda

- 2. Ruth Ellen Burgers, R040572-Letter of Reprimand
- 3. S.L.C.-Mandate HPAP-to be enrolled within 30 days; if not, request Voluntary Surrender; if not, issue Summary Suspension and Notice for Hearing
- 4. M.R.C.-Letter of Concern and Remediation: Assessment
- 5. Craig Robert Davelaar, IA RN116986-Accept Voluntary Surrender of IA Privilege to Practice in SD
- 6. Jessica Marie Foster, R035484-Reinstatement with Mandated HPAP
- 7. C.J.F.- Letter of Concern and Remediation: Assessment
- 9. Vickie Kae Ham, R040609-Accept Voluntary Surrender
- 10. Dana Marie Hanson, R045246-Accept Voluntary Surrender
- 11. A.C.H-D.-Mandated HPAP
- 12. Daniel Wade Harn, R030246-Accept Voluntary Surrender
- 14. R.J.M.-Mandate HPAP
- 15. J.A.M.- Letter of Concern
- 16.Cary David Myers, R027133-Close Probation
- 17. A.J.M.-Board Dismissal
- 18. N.M.M.-Letter of Concern
- 19. Betty Jean Nance, R014880-Letter of Reprimand
- 20. Spencer Jay Seibert, R032335-Reinstatement with Mandated HPAP
- 22. Jacquelyn Joy Wickstrom, R029423-Reinstatement with Mandated HPAP
- 23. D.J.W.-Mandate HPAP to be enrolled within 30 days
- 24. J.K.Z.-Board Dismissal
- 25. Laura Diane Huttner, R044866-Summary Suspension and Notice for Hearing

MOTION

Jean Murphy moved that the South Dakota Board of Nursing accept the approval of the Consent Agenda with the removal of #1 WB, #8 EF, #13 JJ and #21 GS. Seconded by J Larson.

Bergeleen	Yes	Mohr	Absent	Oldenkamp	Absent
Berkland	Yes	Murphy	Yes	Possehl	Yes
Callaghan	Yes	Nelson	Yes	Schmidt	Yes
Larson	Yes	Neuharth	Absent	8 Yes	MOTION Carried

G.L.S.-F Miller presented background.

MOTION

J Murphy moved that the South Dakota Board of Nursing mandate HPAP for G.L.S. Seconded by N Nelson.

Bergeleen	Yes	Mohr	Absent	Oldenkamp	Absent
Berkland	Yes	Murphy	Yes	Possehl	Yes

Callaghan	Yes	Nelson	Yes	Schmidt	Yes
Larson	Yes	Neuharth	Absent	8 Yes	MOTION Carried

J.J.-F Miller presented background.

MOTION

J Murphy moved that the South Dakota Board of Nursing issue a Letter of Concern for J.J. Seconded by J Larson.

Bergeleen	Yes	Mohr	Absent	Oldenkamp	Absent
Berkland	Yes	Murphy	Yes	Possehl	Recused
Callaghan	Yes	Nelson	Yes	Schmidt	Yes
Larson	Yes	Neuharth	Absent	7 Yes	MOTION Carried

E.F.-F Miller presented background.

MOTION

J Murphy moved that the South Dakota Board of Nursing mandate HPAP for E.F. Seconded by C Callaghan.

Bergeleen	Yes	Mohr	Absent	Oldenkamp	Absent
Berkland	Yes	Murphy	Yes	Possehl	Yes
Callaghan	Yes	Nelson	Recused	Schmidt	Yes
Larson	Yes	Neuharth	Absent	7 Yes	MOTION Carried

Wylie Barnes, R033181- F Miller presented background.

MOTION

J Murphy moved that the South Dakota Board of Nursing accept the Voluntary Surrender of Wylie Barnes. Seconded by D Berkland.

Bergeleen	Yes	Mohr	Absent	Oldenkamp	Absent
Berkland	Yes	Murphy	Yes	Possehl	Yes
Callaghan	Yes	Nelson	Yes	Schmidt	Yes
Larson	Yes	Neuharth	Absent	8 Yes	MOTION Carried

Brenda Doerr, R042995-Formal Hearing

K O'Connell, attorney, presented background. M Eining of HPAP, presented evidence. B Doerr was not present to address the Board.

MOTION

J Larson moved that the South Dakota Board of Nursing indefinitely suspend the RN license for Brenda Doerr. Seconded by C Callaghan.

Bergeleen	Yes	Mohr	Absent	Oldenkamp	Absent
Berkland	Yes	Murphy	Yes	Possehl	Yes
Callaghan	Yes	Nelson	Recused	Schmidt	Yes
Larson	Yes	Neuharth	Absent	7 Yes	MOTION Carried

Leah Wille, P011597-Formal Hearing

K O’Connell, attorney, represented the Board of Nursing. F Miller, investigator and Todd Lorenzen (via teleconference), presented evidence. L Wille was not present for the hearing.

MOTION

D Berkland moved that the South Dakota Board of Nursing Summarily Suspend the LPN license of Leah Wille. Seconded by J Larson.

Bergeleen	Yes	Mohr	Absent	Oldenkamp	Absent
Berkland	Yes	Murphy	Yes	Possehl	Yes
Callaghan	Yes	Nelson	Yes	Schmidt	Yes
Larson	Yes	Neuharth	Absent	8 Yes	MOTION Carried

11. Board Development

A) Living the Art of Humanbecoming: True Presence

Dr. Sandra Bunkers presented the topic and lead discussion on Living the Art of Humanbecoming. She responded to Board questions.

12. Upcoming Events

- SD Action Coalition Meeting, Sioux Falls, September 15, 2015
- NCSBN Board of Directors, September 21-23, 2015
- SDNA Convention, Sioux Falls, October 4-5, 2015
- Tri-Regulator Symposium, Washington, DC, October 6-7, 2015
- NCSBN Board of Directors, October 12-14, 2015
- SD CNW Governance Council Meeting, October 22, 2015
- NCSBN Leadership & Public Policy Conference, Westlake Village, CA, October 27-29, 2015
- Citizens Advocacy Center (CAC) Annual Meeting, Washington, DC, November 12-13, 2015
- CLEAR-NCIT Basic Training, Raleigh, NC, March 13-17, 2016

MOTION

M Schmidt moved that the South Dakota Board of Nursing approve travel for the following:

1. Tri-Regulator Symposium, Washington, DC, October 6-7, 2015-Travel up to 2
2. NCSBN Leadership & Public Policy Conference, Westlake Village, CA, October 27-29, 2015-Travel up to 3
3. Citizens Advocacy Center (CAC) Annual Meeting, Washington, DC, November 12-13, 2015-Travel up to 3
4. CLEAR-NCIT Basic Training, Raleigh, NC, March 13-17, 2016-Travel up to 2
5. Region 8 AANP Meeting, Salt Lake City, UT, November 14, 2015-Travel up to 2
6. National Nursing Workforce Coalition, Washington, DC, December 9-10, 2015, travel up to 1

7. NCSBN Committee on Canada and US Regulatory Requirements, Chicago, IL, October 21-23,
2015-travel up to 1

Bergeleen	Yes	Mohr	Absent	Oldenkamp	Absent
Berkland	Second	Murphy	Yes	Possehl	Yes
Callaghan	Yes	Nelson	Yes	Schmidt	Yes
Larson	Yes	Neuharth	Absent	8 Yes	MOTION Carried

Meeting adjourned at 1:39pm, September 11, 2015.