

DISTRICT OF COLUMBIA BOARD OF NURSING

WEDNESDAY, OCTOBER 3, 2012

“The mission of the Board of Nursing is to safeguard the public’s health and well being by assuring safe quality care in the District of Columbia. This is achieved through the regulation of nursing practice and education programs; and by the licensure, registration and continuing education of nursing personnel.”

BOARD OF NURSING MEMBERS	Work Session	Open Session	Executive Session
CHAIR: Rachael Mitzner, RN	P	P	P
V-CHAIR: Mary Ellen Husted, RN	E	E	P
Margaret Green, LPN	P	P	P
Selena Howell, Consumer	P	P	P
Mary E. Ivey, Consumer	E	E	E
Missy Moore, LPN	P	P	P
Mary Rockefeller, RN	P	P	P
RN Vacancy			

STAFF	Work Session	Open Session	Executive Session
Executive Director			
Karen Scipio-Skinner	P	P	P
Administrator			
Feseha Woldu	A	A	A
Attorney			
Van Brathwaite	P	P	P
Nurse Consultant			
Bonita Jenkins	P	P	P
Felicia Stokes	P	P	P
Concheeta Wright	A	A	A
Investigator			
Mark Donatelli	P	P	P

BOARD OF NURSING WORK SESSSION AGENDA

CALL TO ORDER

The BON Work Session was called to order by Rachael Mitzner, Chairperson, at 8: 45 am

CONSENT AGENDA

N/A

APPROVAL OF MINUTES

September 5, 2012 minutes approved with changes to Implementation Plan

REPORT FROM BOARD CHAIR

Question raised regarding use of motion form. Members will document motions and votes, not how persons voted.

REPORT FROM ADMINISTRATOR

N/A

REPORT FROM ATTORNEY

NAP Regulations have been sent to Legal Counsel Division of OAG

REPORT FROM EXECUTIVE DIRECTOR

NCSBN will be notified that the board will utilize their Just Culture Algorithm

Board of Medicine

TeleMedicine Statute submitted to the Board for review. Board will review and provide feedback

MediSpa Statute Legislation will be provided to the Board for review

DC Council has introduced TeleMedicine Legislation. Board will review legislation assure that the proposed RN/LPN regulations are in compliance.

ISSUES TO BE DISCUSSED

Motion Forms

Boards have been asked to use motion forms to memorialize board decisions. Will be discussed with Dr. Woldu

Change in Document Signatures

The following are no longer to be signed by Executive Director or staff

Documents signed by attorney

Request for NOIs

Documents signed by Chair or designated board member
Consent Orders
Negotiated Settlement Agreements
NOIs
Findings of Facts and Conclusion of Law and Order

Changes in current policy:

Prior to request for issuance of NOI:

Panel of BON will negotiate a settlement agreement
The NSA will be referred to the Board for a vote
The BON may either agree to the terms of the settlement agreement or request issuance of NOI

Discipline triage

Discuss changes in the way in which we will handle discipline

Issuance of NOIs

Board member participation (Sanctions Review Committee, Negotiated Settlement Agreements)

Decision: Tabled

Process for Discipline

[Please note that this will include NAP disciplinary actions]

Option #1

The Sanctions Review Committee will refer discipline to the Board with recommendation of issuance of NOI and/or terms of a negotiated settlement agreement.

- The Board Attorney will negotiate terms of the settlement agreement with respondent as recommended by the Board.
- The Board Attorney will initiate NOI with OAG if an agreement can't be reached or respondent fails to respond.

Option #2

The Sanctions Review Committee will refer respondents to Settlement Conference Committee. The Settlement Conference Committee will be comprised at least two (2) Board members, one (1) Nurse Consultant and the Board attorney.

The Settlement Conference Committee will convene once a month.

Board staff will schedule meetings with respondents.

All material relevant to the complaint (survey reports, investigative reports) will be forwarded to and reviewed by SCC prior to the SCC meeting.

SCC will meet with respondent and may:

Dismiss complaint **Or**

Recommend to Board that the compliant be dismissed

Determine terms of settlement agreement (including whether or not the decision will be made public)

Once an agreement is reached it will be forwarded to the Board for approval.

NOI will be requested if:

- Respondent does not agree to meet with Settlement Conference Committee
- Respondent fails to appear at Settlement Conference Committee meeting
- Respondent does not agree to proposed discipline outcome in Settlement Conference
- Respondent does not comply with terms of Settlement Agreement
- Board does not agree with terms of Settlement Agreement

*Please note: If hearing is held SCC members referring the case to the board will not be allowed to participate.

Nursing Assistive Personnel Update

NAP Omnibus regulations

Submitted to the Office of Attorney General for legal sufficiency.

Priority1:	Work More Effectively and Efficiently
Strategic Initiative 1:	Enhance how BON works with public and communities
Tactic 3:	Continue to conduct forums on targeted issues of interest to the public a) NAP regulations

Home Health Aide Update

Educating the Community

Meetings held with HHA and Nurse Staffing Agencies to discuss new regulatory requirements

Spoke at HHA Association Meeting regarding Regulations

Attending HHA trainings to review requirements

HHA Examination

We are working to identify a company to offer the HHA examination.

DISTRICT OF COLUMBIA BOARD OF NURSING

OPEN SESSION AGENDA

CALL TO ORDER

The Open Session was called to order by Rachael Mitzner, Chairperson, at 10:00 a.m.

COMMENTS FROM THE PUBLIC

Judy Levy

Reported on “Personal and Home Care Aide State Training (PHCAST) National Demonstration Project”

Dr. Teresa Walsh

Chair, Nursing Education Program Advisory Committee provided overview of advisory committee’s

LEGISLATION

Issue: Re: Emergency Amendments to Title 22B of the District of Columbia Municipal

Decision: Regulations (DCMR) – Student Access to Treatment Non-licensed persons in schools should be certified as School-Medication Aides

Issue: Chapter 50: Medicaid Reimbursement for Personal Care Services

Decisions: Use nurse practitioner title instead of advanced practice registered nurse

Require Personal Care Aides to be certified as Home Health Aides.

Add HHA definition
HHA - an individual, including a personal care aide (PCA), who as a result of training and demonstrated competencies, works under the supervision of a nurse or other health professional licensed in the District of Columbia and provides nursing or nursing related services to clients in a home setting or in assistive living facilities.

REGULATION

Priority #5: Strategic Initiative 1	Enhance Regulation of Education Programs Identify how BON will update and communicated education regulations
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Tactic 1:	1) Benchmark current best practices associated with regulating education programs 2) Benchmark current best practices associated with nursing programs
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Nursing Program Regulations

Issue: NCLEX Pass Rate:

Decision: Set the NCLEX Pass Rate at 80%.

Issue: Use of exit examinations

Decision: Convene meeting with nursing programs to discuss use of exit examinations

Issue: Nursing program accreditation

Decision: Within two (2) years after receiving full approval status a pre-licensure programs shall apply for approval to NLN-AC

Issue: Accreditation visits

Decision: Require programs to invite the board to participate in accreditation site visits
 Require programs to submit to the Board accreditation reports and correspondence sent and received from the accrediting body

Issue: Conditional Approval [continue to review]

Decision: Table

The Board may determine the length of time to be allotted, not to exceed the following cohort class specifications:

- (a) Not to exceed four (4) years for 4 year program BSN
- (b) Not to exceed two (2) years for 2 year program AD
- (c) Not to exceed two (2) years for 2 year program for PNs from the time conditional approval was granted for the correction of the deficiencies identified by the Board and to bring the program into compliance with the requirements and standards of this chapter.

** Once the plan of correction is submitted to the BON, the newest cohort group is appropriately targeted with the Boards recommendations. The outcomes of these new groups can be effectively measured following program completion/ graduation (NCLEX)

Issue: Administration of Exit Exams

Decision: Agree that specifics should be provided

Establish requirements for use of exit examinations

1. Inform students in writing upon admission to the program of the requirement.
2. Inform students about required passing score in writing upon admission to the program.
3. Provide remediation for students who are unable to pass a psychometrically reliable standardized exam that prevents progression.
4. Develop a remediation program for students who have satisfactorily completed all of the program but unable to satisfactorily complete the final semester, trimester, or quarter

Issue: Clinical Simulations

Decision: Twenty percent (20%) clinical simulation w/guidelines that may be used in lieu of clinical experiences

Issue: Clinical hours

Decision: Clinical hours need to be specified for all levels of nursing

Issue: LPN Education

Decision: LPN programs offered only in degree granting institutions that have Middle States Regional Accreditation

Issue: Distance Learning

Decision: Needs to be addressed

Staff will provide recommended language

Issue: CBC requirements for placement of students in long term care facilities

Decision: Dr. Jenkins is working with the nursing programs to assist students in obtaining their CBC through the LTC/CBC program

EDUCATION

Dr. Teresa Panniers, Associate Dean for School of Nursing and Health Professions, Trinity School of Nursing

Did not attend meeting

DISTRICT OF COLUMBIA BOARD OF NURSING

EXECUTIVE SESSION AGENDA

Executive Session:

Executive Session (non-public) to Discuss Ongoing, Confidential Preliminary Investigations pursuant to D.C. Official Code § 2-575(b)(14), to deliberate on a decision in which the Ethics Board will exercise quasi-judicial functions pursuant to D.C. Official Code § 2-575(b)(13), and Personnel matters pursuant to D.C. Official Code § 2-575(b)(10)