

NEW JERSEY STATE BOARD OF NURSING
MINUTES
OPEN BUSINESS MEETING
MARCH 1, 2013

A meeting of the New Jersey State Board of Nursing was held on March 1, 2013 in the Somerset Conference Room, 6th Floor, 124 Halsey Street, Newark, New Jersey. Patricia Murphy, Board President, called the meeting to order at 1:12 p.m.

ROLL CALL

BOARD MEMBERS PRESENT:

Saundra Austin-Benn
Noreen D'Angelo
Theresa Beck
Avery Hart

Joni Jones
Patricia Murphy
Luz Ramos
Constance Wilson

ALSO PRESENT:

George J. Hebert, Executive Director
Joanne Leone, Deputy Executive Director
Olga Bradford, Deputy Attorney General
Diane Scott, Administrative Staff
Margaret Howard, Nurse Consultant
Charles Manning, Regulatory Analyst

BOARD MEMBERS NOT PRESENT:

Therese Steinhardt

A QUORUM WAS PRESENT

In accordance with Chapter 231 of P.L. 1975, more commonly referred to as the Sunshine Law, adequate notice of this meeting was provided by mailing on December 12, 2012. A schedule of all 2013 Regular Open Board Meetings to be held during 2013 was provided to the Office of the Secretary of State, Star Ledger, Trenton Times, The New York Times, Camden Courier Post and The Philadelphia Inquirer. The schedule has also been posted on the Bulletin Board at the New Jersey State Board of Nursing Office.

AGENDA:

Open Regular Board Meeting Agenda of March 1, 2013: Reading and Approval:

After discussion, the Board upon a motion made by Theresa Beck and duly seconded by Luz Ramos voted to approve the March 1, 2013 Regular Board meeting agenda. The motion carried.

MINUTES:

Open Business Meeting Minutes of October 5, 2012 and December 12, 2012: Reading and Approval:

After discussion, the Board upon a motion made by Theresa Beck and duly seconded by Luz Ramos voted to approved the October 5, 2012 and December 12, 2012 Regular Board meeting minutes. The motion carried.

REPORT OF THE BOARD PRESIDENT – PATRICIA A. MURPHY, Ph.D.:

Patricia Murphy reported:

Presented the 2012 Annual Report. (See attached)

REPORT OF THE EXECUTIVE DIRECTOR – GEORGE J. HEBERT:

George Hebert reported:

- 2013 Renewal – the Board is entering into the renewal period for those licensees whose license will expire in May. The Board is using a paperless system where all licensees are required to renew online.
- Update – The Board of Nursing is continuing the workforce minimum dataset collection that is being collected at renewal. Data will be analyzed by the New Jersey Nursing Collaborative.
- NCSBN Newsletter – distributed a newsletter presented by NCSBN regarding nursing education and the licensing examination. Also, NCSBN has developed a new product (E-Notify) that provides updated information on a nurse's license. This information is pulled from Nursys data which is compiled directly from the boards of nursing database.
- Dr. Jeannie Cimiotti, DNS, RN, NJ Collaborative Center of Nursing provided a detailed report on the annual nursing program reports. The Center works on behalf of the nursing community to provide research data to support evidence-based recommendations regarding nursing workforce needs in New Jersey. Previously the Board provided support to the Collaborating Center for a survey of New Jersey nurses on the topic of retirement. Dr. Cimiotti requested the Board's support to repeat the study. She requested the Board's support for the mailing as was done previously. Once the surveys are returned and collated, Dr. Cimiotti will provide a summary report to the Board. **After discussion, the Board upon a**

motion made by Luz Ramos and duly seconded by Joni Jones approved the request to provide support to the NJ Collaborative Center for Nursing to send out surveys to LPNs and RNs. The motion carried.

- Assembly Bill 3754 – The Board was asked to review and provide comment on the following bill. Assembly Bill 3754 requires firearms seizure when mental health professionals determine a patient poses threat of harm to self or others.

The Division of Consumer Affairs collates comments from the various boards regarding legislation and forward to the Governor's office for review. The Board members will forward all comments to the Board.

INFORMATIONAL PURPOSES:

1. December 10, 2012 – Email from Kathy Apple, MS, RN, FAAN, Chief Executive Officer, Robert Wood Johnson Executive Nurse Alumni regarding the passing of Vernice Ferguson, RN, MA, FAAN, FRCN, a significant nurse leader.
2. January 8, 2013 – Memo from Melissa H. DiGregorio, Acting Supervisor, Administrative Rules Unit, Re: Proposed Amendments at N.J.A.C. 10A:1-2.2; 10A:4-1.3 and 9.17; 10A:5-1.1, 1.3, 2.29, 3.1, 3.2, 3.3, 3.6, 3.7, 3.8, 3.10 through 3.18, and 3.20; and 10A:9-3.1, 3.14, and 5.2 Proposed Repeal at N.J.A.C. 10A:5-3.19
3. January 9, 2013 – Email from Carol Hartigan, MA, BSN, RN, Certification Programs Strategist, AACN Certification Corporation, American Association of Critical-Care Nurses, Re: Update notification on the NCSBN and AACN CertCorp APRN regulations.
4. January 15, 2013 – letter from Leon Rodriguez, Department of Health and Human Services regarding the disclosure of necessary information about a patient to law enforcement, family members of the patient, or other persons, when patient presents serious danger to himself or other people.
5. January 24, 2013 – SIRC Newsletter regarding nursing practice and nursing education.
6. January 31, 2013 – Email from Karen Rodriguez, Board member Re: resigning her position as Board member.
7. February 4, 2013 – Message from NCSBN regarding New NCLEX-RN Passing Standard goes into effect April 1, 2013.
8. February 14, 2013 – Letter from Myra Broadway, JD, MS, RN, President, NCSBN regarding Highlights from the 2012-2013 Board of Directors (BOD) meeting that was held on Feb 4-6, 2013.
9. February 14, 2013 Email from Mary Ellen Santucci, Lincoln Technical Institute regarding the potential school faculty waiting to be endorsed into New Jersey.
10. February 15, 2013 – Memo from Francis Gerbasi, CRNA, PhD, Executive Director, Council on Accreditation of Nurse Anesthesia Educational Programs (COA) regarding COA Report of Actions.
11. February 22, 2013 – Message from the NLNAC regarding changes to the Bylaws.

EDUCATION COMMITTEE:

Luz Ramos reported on the following:

February 1, 2013 – **Session I:**

1. Correspondence:
 - a. August 2, 2012 – Letter from Gary Mao, President, AVTECH Institute of Technology Re: Effective August 1, 2012 Ms. Elizabeth Pusz, MA, RN, has been appointed as Program Administrator and Ms. Anna Louise Johnson, BSN, RN have been appointed as Clinical Coordinator. Curriculum remains the same as approved by the Board.
 - b. August 6, 2012 – Letter from Timothy Inverso, MSN, RN, CEN, Regional Director of Nursing, NJ&PA, Lincoln Tech. Re: Rachael Anderson, Director of Nursing at the Moorestown Campus will be out on Medical Leave and Interim Director of Nursing will be Lisa Marie, MSN, RN who has experience in nursing education.
 - c. August 10, 2012 – Letter from Letter from Gary Mao, President, AVTECH Institute of Technology. Re: The LPN Program has signed a 3 year Clinical Affiliation Agreement with East Orange General Hospital.
 - d. August 14, 2012 – Letter from Virginia Fitzsimons, RN, BC, EdD, FAAN, Executive Director, Kean University School of Nursing. Re: As requested by the NLNAC, the school has been placed on probation by the Middle States Commission on Higher Education.
 - e. August 20, 2012 – Letter from Colleen Manzetti, DNP, CNE, Ocean County College. Re: Effective August 20, 2012 Ms. Theresa Walsh, MSN will be the Dean for the School of Nursing.
 - f. August 28, 2012 – Letter from Anne M. McGinley, PhD, RN, APN, Dean of Nursing, Health Sciences and Human Services, Camden County College. Re: Robyn Anwar, MSN, Ed has returned to her faculty role and Audrey Brook, DNP, MSN, RN has been appointed program director for the Practical Nursing Program.
 - g. September 9, 2012 – Email from Tim Inverso, MSN, ACNS, BC, CEN. Re: Advising the Board that he is no longer with Lincoln Technical Institute
 - h. September 10, 2012 – Letter from Laurie Pringle, Executive Director, Lincoln Technical Institute. Re: Effective September 7, 2012, Ms. Linda Malek-Jones, MA, RN has been promoted to Director of Nursing for the Paramus Campus. Ms. Malek-Jones possesses a Master's in Nursing Science and Teaching Administration.
 - i. October 4, 2012 – Letter from Robert Grimmie, Director, Dept of Labor and Workforce Development regarding a renewal certificate of approval for New Community Workforce Development Center to continue operating.
 - j. October 8, 2012 – Letter from Gary Mao, President, AVTECH Institute of Technology. Re: Effective October 8, 2012 Ms. Claire Castner, MSN has been appointed as the new Program Administrator. Her resume is enclosed for review.
 - k. October 9 and 10, 2012 – Letter from Marlene Dey, MSN, APN, Nursing Program Administrator, Essex County College regarding classification of Essex County as on “Warning” for its accreditation by NLNAC. Essex County submitted a plan of action to the NLNAC specifically related to Standard 14 “Assessment of Student Learning”.
 - l. October 17, 2012 – Letter from Evelyn Wingate, MPA, Associate Director, Credit Programs, UNC Charlotte Extended Academic Programs regarding approval to admit students living in NJ into their online program.

- m. October 31, 2012 – Letter from Elizabeth Fitzgerald, MSN, RN, CCRN, Chair, Practical Nurse and Patient Care Technician Program Re: the name change from Dover Business College to Berkeley College.
- n. November 5, 2012 – Letter from Joan Murko, MA, RN Interim Director, Department of Nursing, Bergen Community College Re: Effective July 1, 2012, reappointed Interim Director of the Dept of Nursing.
- o. November 8, 2012 – letter from Monica Maraska, MSN, RN, Chairperson of Nursing, County of College of Morris, Re: Submitting a response to about the action taken by the National League for Nursing Accrediting Commission.
- p. Dec 2012 – Season Greetings from New Jersey League for Nursing.
- q. Dec 3, 2012 – email from Sondra Fountain, Department of Labor regarding the school's new status as a college for the Center for Allied Health & Nursing Education.
- r. Dec 4, 2012 – Message from NCSBN, regarding NCLEX Pass Rates: July – Sept 2012.
- s. December 11, 2012 – letter from Teresa Walsh, MSN, RN-BC, Dean, School of Nursing regarding changes to Fall 2012 Semester Schedule.
- t. December 17, 2012 – News Release; NCSBN Board of Directors voted to raise the passing standard for the NCLEX-RN Examination.
- u. December 20, 2012 – letter from the Department of Education; Federal Student Aid regarding JFK Medical Center Muhlenberg Harold B. and Dorothy A. Snyder Schools has not met the financial responsibility standard.
- v. December 21, 2012 – letter from Glenn Lang, EdD, Assistant Secretary, Office of the Secretary of Higher Education regarding Institutional Name Change for HoHoKus to Eastwick College
- w. January 7, 2013 – letter from Rafael Castilla, MD, Vice President for Academic Affairs, Eastwick College regarding the confirmation of its degree-granting status and additional NCLEX-RN number for the AAS in Nursing Program.

Session II:

2. New Programs:

- a. Com-Tec Institute – Application to establish a practical nursing program.

Representatives from Com-Tec Institute appeared before the committee to address Phase II of their proposed practical nurse program. The committee asked questions about the definition of practical nursing, the implementation of Orem's Self-Care Deficit Theory throughout the curriculum, the use of developmental theorists, teaching learning and program objectives and how objectives will be measured.

There were also concerns about the definition of health, the actual length of the program, and the way the appeal policy was written. The Committee recommends denial.

The Education Committee recommends that Com-Tec Institute be denied permission to establish a new program in practical nursing.

3. Follow-up:

a. Metropolitan Learning Institute:

Representatives from Metropolitan Learning Institute appeared before the committee to discuss their self-study that was requested by the Board because of poor NCLEX-PN scores for 2010 and 2011. The program was issued a Provisional Order of Probation and a Denial of Accreditation on October 11, 2012.

After discussion with the representatives concerning the outcomes of NCLEX-PN scores for 2012 and a concern about the curriculum teaching students beyond their LPN scope of practice.

The committee voted to recommend to the Board that a final order of denial of accreditation be issued to the program.

b. Eastwick College:

The first two graduating classes of Eastwick College NCLEX rates were below 75% for two years in a row. Representatives of Eastwick College were in the audience and requested a meeting with the Board to discuss this matter further.

The committee voted to recommend to the Board that a provision order of denial of accreditation be issued to the program.

4. Corrective Action Plan:

a. Eastwick College - Re: Submitting a response to the Committee's request for additional information about curriculum strategies.

The Committee reviewed the 2011 NCLEX-RN Performance Report – Institutional Response of Eastwick College.

5. 2012 NCLEX Scores:

a. The Committee reviewed the NCLEX Scores for RN and LPN programs. A report will be available on the Board of Nursing website.

6. Proposed Curriculum Change:

a. Dover Business College/Berkeley College:

The Committee recommends approval of the Curriculum Change.

After discussion, the Board upon a motion made by Luz Ramos and duly seconded by Noreen D'Angelo voted to approve the report of the February 1, 2013 Education Committee meeting. The motion carried.

NEW BUSINESS:

Charles Manning discussed the following:

N.J.A.C. 13:37-5.5 Fee Schedule:

- Delete language referring to Massage Therapy
- Revised language for credentialing agency for APN

After discussion, the Board upon a motion made by Theresa Beck and duly seconded by Luz Ramos voted to approve the proposed revisions of N.J.A.C. 13:37-5.5. The motion carried.

REGULATON COMMITTEE:

Theresa Beck reported on the following:

January 4, 2013 report.

Discussion Items:

1. Application Deadline

The Committee reviewed and discussed amendments to N.J.A.C. 13:37-2.1 which would require applicants to have completed his or her education and the examination no more than two years prior to submitting an application for licensure to the Board. The Committee recommends that this matter be tabled for further discussion.

2. APN Accrediting Agencies

The Committee reviewed and discussed amendments to N.J.A.C. 13:37-7 which would recognize the Institute for Credentialing Excellence as an entity that accredits advanced practice nurse national certifying entities. The Committee recommends Board approval of the proposed amendments.

3. Endorsement Work Experience

The Committee reviewed and discussed amendments to N.J.A.C. 13:37-4.1 which would require a registered professional nurse or licensed practical nurse licensed in another state, territory or possession of the United States, or the District of Columbia, who wishes to be

licensed in New Jersey to include their work experience. The Committee will not pursue this matter.

4. VA APRN Policies

The VA is pursuing the development of national policies that will recognize the independent practitioner status of all VA APRNs, and the ability of VA nurses to use protocols in the delivery of patient and resident care. The VA is using the NCSBN APRN Consensus Model for Nursing Practice.

5. Periodic Report on Legislation

The Committee reviewed and discussed the report that showed the history of this legislative session's bills on which the Board was asked to comment.

After discussion, the Board upon a motion made by Theresa Beck and duly seconded by Luz Ramos voted to approve the January 4, 2013 report of the Regulation Committee meeting. The motion carried.

OPEN FORUM:

Patricia Murphy asked the public to share with the Board of Nursing any concerns, issues or questions:

- Commenter – spoke on the nursing data collection survey.
- Commenter – spoke on the kinds of questions that will be included in the survey.

After discussion, the Board upon a motion made by Joni Jones and duly seconded by Theresa Beck voted to go into closed session to discuss complaints. The motion carried.

ADJOURNMENT:

On March 1, 2013, the Regular Open Board Meeting was adjourned at 2:48 p.m. The next Regular Board Meeting will be held on June 7, 2013.

Respectfully Submitted,

Patricia A. Murphy
Board President