

NEW JERSEY STATE BOARD OF NURSING  
MINUTES  
OPEN BUSINESS MEETING  
APRIL 20, 2010

A meeting of the New Jersey State Board of Nursing was held on April 20, 2010 in the Somerset Conference Room, 6<sup>th</sup> Floor, 124 Halsey Street, Newark, New Jersey. Dr. Patricia A. Murphy, Board President called the meeting to order at 9:35 a.m.

**ROLL CALL**

**BOARD MEMBERS PRESENT:**

Noreen D'Angelo  
Avery Hart  
Jonathan Hress  
Joni Jones

Patricia Murphy  
Luz Ramos  
Karen Rodriguez  
Constance Wilson

**ALSO PRESENT:**

George J. Hebert, Executive Director  
Olga Bradford, Deputy Attorney General  
Diane Scott, Administrative Staff  
Charles Manning, Regulatory Analyst (to discuss regulation changes)  
Joanne Leone, Deputy Attorney General

**BOARD MEMBERS NOT PRESENT:**

Saundra Austin-Benn  
Nicole Milan-Tyner  
Elenita Talavera

**A QUORUM WAS DECLARED 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 1, 2009. A schedule of all 2010 Regular Open Board Meetings to be held during 2010 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 April 20, 2010: Reading and Approval:

**After discussion the Board, upon a motion made by Noreen D'Angelo and duly seconded by Karen Rodriguez, voted to approve the Regular Open Board Meeting Agenda of April 20, 2010. The motion carried.**

**MINUTES:**

Open Business Meeting Minutes of February 16, 2010: Reading and Approval:

**After discussion the Board, upon a motion made by Noreen D'Angelo and duly seconded by Connie Wilson, voted to approve the Regular Open Board Meeting Minutes of February 16, 2010. The motion carried.**

**REPORT OF THE BOARD PRESIDENT – DR. PATRICIA A. MURPHY:**

Dr. Murphy reported:

- 2009 Annual Report. (see attached)

**REPORT OF THE EXECUTIVE DIRECTOR – GEORGE J. HEBERT:**

George J. Hebert reported:

- Today's meeting was originally scheduled as a workshop, but because of the importance of information that needed to be reviewed the Board decided to hold a regular open business meeting.
- Staffing issues – The Board continues to lose staff due to retirement. The Board has reassigned staff to ensure that the workflow is not interrupted.
- A report is forthcoming from the work of the Education Sub-Committee that the Board formulated to review the regulations and to discuss nursing trends.
- The Board was asked to review the following bills
  1. **Senate Bill 1737** – Concerns not furloughing of nurses employed by certain state institutions. **Position** – The Board voted to support this bill.
  2. **Assembly Bill 2456** – Eliminates salary for part-time members of certain boards, commissions, and independent authorities. **Position** – The Board voted to oppose this bill.
  3. **Senate Bill 954** – Supplemental appropriations of \$2 million in grants for certain nursing school to address shortage of nursing faculty. **Position** – The Board voted to support this bill. Board Member Avery Hart abstained from the proceeding.

4. **Assembly Bill 2400** – Requires application for certain occupational and professional licenses and certain registrations for control dangerous substances. **Position** – The Board opposes this bill.
- March 4, 2010 letter from Melissa Chalker, Program Manager, New Jersey Foundation for Aging regarding comments on Assembly Bill 3691, which requires mandatory adult protective services reporting.
  - 2010 Renewal – notification was mailed out in March to nurses who licenses expire on May 31. This renewal will include a survey from NCSBN addressing data collection. Licenses are being encouraged to renew online to expedite the process of renewing their licenses. Paper renewals are available upon request by calling the IVR system.
  - Licensees who have not completed the criminal history background (CHBC) process will be considered as active non-renewal. Licensees with this status cannot renew their licenses until they have completed the CHBC process.
  - Cedar Crest College, RN to BSN Nursing Degree Program – Representatives from the program provided details to the Board about this program and what the program had to offer its students.
  - Allied Health Program and Raritan Valley would like to establish a LPN program, but New Jersey has a moratorium on LPN programs. This issue is being referred to the Education Committee for further review.

#### **CORRESPONDENCE:**

1. April 1, 2010 email from Alma Saravia, Esquire regarding letter dated March 24, 2010 addressed to Ruth Charbonneau, Esquire, New Jersey Dept. of Health and Senior Services sent on behalf of the New Jersey Association of Nurse Anesthetists Petition for Rulemaking – Supplement of the Record.

A discussion ensued regarding CRNAs being recognized as APN and working as independent practitioners.

**After discussion, the Board upon a motion made by Luz Ramos and duly seconded by Karen Rodriguez voted to send a letter to Ms. Saravia advising her that APNs are independent practitioners and that APNs can prescribe with a collaborative agreement. The motion carried.**

#### **INFORMATIONAL PURPOSES:**

1. 2009 NCSBN – New Jersey Licensure Statistics Survey.
2. Article from the American Journal for Nurse Practitioners – Are You Ready For The Consensus Model?
3. March 18, 2010 Council on Accreditation of Nurse Anesthesia Educational Programs Report of Actions.

4. March 17, 2010 email from Aline Holmes, MSN, RN, Senior Vice President, Clinical Affairs, Director, Institute for Quality and Patient Safety, New Jersey Hospital Association regarding the Nursing Workforce grows 5.3% over four years.
5. March 12, 2010 News Release Commission on Higher Education offers updated inventory of precollege programs on its website.
6. March 10, 2010 Board of Medical Examiners Agenda and minutes.
7. March 3, 2010 acknowledgement letter from George Hebert, Executive Director, New Jersey Board of Nursing to Barbara Wright, RN, PhD, FAAN, Interim CEO, New Jersey State Nurses Association regarding APNs providing anesthesia services.
8. February 23, 2010 letter from NCSBN providing highlights from recent meetings.
9. February 16, 2010 New Jersey Register regarding adopted amendments to N.J.A.C. 13:45A-27.3, 27.7, 27.8 and 27.9.
10. February 11, 2010 Media Alert from American Nurses Association regarding a not guilty verdict in the case of the Texas nurse who filed a complaint against a physician.

**COMMITTEE REPORTS:****1. EDUCATION COMMITTEE: -****Connie Wilson reported: March 16, 2010 Committee Meeting**

1. Session I Correspondence:
  - a. December 15, 2009 – Bulletin from National Council State Boards of Nursing (NCSBN) Board of Directors.  
Re: Voted to raise the passing standard for the NCLEX-RN Examination at its meeting on December 10, 2009.  
  
*This issue was on the agenda for informational purposes.*
  - b. January 6, 2010 – Letter from Barbara Byers, RN, MA, Ed.M, Director, Practical Nursing Program, Lincoln Technical Institute, Paramus Campus  
Re: Scheduling of an afternoon/evening class to commence on March 10, 2010.  
  
*This issue was on the agenda for informational purposes.*
  - c. January 13, 2010 – Letter from Dr. Rose Saunders, EdD, RN, CNE, Dean, Helene Fuld School of Nursing  
Re: Plan for students enrolled in a 3-year Program  
  
*Staff will send acknowledgement letter supporting the program.*

- d. January 18, 2010 – Letter from Gary Achilles, Executive Director, Lincoln Technical Institute, Mt. Laurel, NJ.  
Re: Dr. Mary Ann Faralli, EdD, RN, BSN, MBA, MSN, CCRN will serve as Director of the Practical Nursing Program  
*Staff will send acknowledgement letter requesting a CV from Dr. Faralli.*
- e. January 21, 2010 – Letter from Bonnie Michaels, RN, MA, NEA-BC, FACHE, Vice President/Chief Nursing Officer, Caldwell College.  
Re: Response to Education Committee request, Caldwell College BSN proposal.

*The committee recommended to grant provisional accreditation pending a site visit which is scheduled for April 8, 2010.*

- f. January 25, 2010 – Letter from Claudia Houston, MSA, BSN, RN, School Administrator, Universal Training Institute  
Re: Mr. Caleb Olusakin Adekanye has accepted the position of Director of Nursing for the Practical Nurse Program  
  
*Staff will send acknowledgement letter requesting a CV from Dr. Adekanye.*
- g. January 31, 2010 – Letter from Phyllis S. Hansell, EdD, RN, DPNAP, FAAN, Dean and Professor of Nursing, Seton Hall University.  
Re: Proposed Pilot for CNL/MSN NCLEX

**After discussion, the Board upon a motion made by Connie Wilson and duly seconded by Luz Ramos voted to deny the request to sit for NCLEX. The motion carried.**

- h. February 5, 2010 – Letter from Marlene Rankin, PhD, RN, Clinical Associate Professor of Nursing, Rutgers, The State University of New Jersey.  
Re: To expand their DNP program and offer a BS to DNP program  
  
*Staff will send acknowledgement letter supporting the program*
- i. February 11, 2010 – Faculty Development Bulletin Volume 8/Number 2 from the National League for Nursing  
  
*This issue was on the agenda for informational purposes*
- j. February 16, 2010 – Letter from Scott Stewart and Elizabeth Vocaturo, representatives for Seton Hall University, CNL Class 2010.  
Re: Present qualifications to take the NCLEX in May prior to the Capstone program.  
  
*The committee recommended denying request to sit for NCLEX.*
- k. February 18, 2010 – Letter from Michael Maddaluna, Superintendent of Schools, Somerset County Vocational & Technical Schools.

Re: An agreement with Raritan Valley Community College relinquishing all adult education programs by July 1, 2010.

*Staff will pull Board of Education Regulations and compare them with our Regulations for further review.*

1. February 20, 2010 – Resource Manual for International Nurses from National Council of State Boards of Nursing.

Re: Three topics related to international nurses: 1. Education. 2. English proficiency. 3. Immigration. 4. Minimal Data set for the evaluation of International nurses.

*This issue was on the agenda for informational purposes*

Discussion:

- Site Visit report from Eastern International College
  - Email from Philip Dickison from NCSBN
- Re: Noncritical NCLEX Date Issue

*This issue was on the agenda for informational purposes*

**Session II Committee Report**

1. Curriculum Changes:

- a. Rutgers, The State University of New Jersey, Camden, NJ

Deferred until the May 18, 2010 Education committee meeting.

2. CGFNS: Course by Course Report

- a. Paul Delens

Re: Foreign credential evaluation report for applicants seeking licensure in New Jersey by Endorsement.

Deferred until the May 18, 2010 Education committee meeting.

3. New Programs:

- a. Eastern International College

The Education Committee met with representatives from Eastern International College and reviewed Part II of the application to establish a new BSN program in nursing in New Jersey.

**After discussion, the Board upon a motion made by Connie Wilson and duly seconded by Luz Ramos, voted to grant provisional accreditation to Eastern International College. The motion carried.**

b. Caldwell College

The Education Committee met with representatives from Caldwell College and reviewed Part II of the application to establish a new nursing program in New Jersey.

**After discussion, the Board upon a motion made by Connie Wilson and duly seconded by Luz Ramos voted to grant provisional accreditation to Caldwell College. The motion carried.**

c. Nursing Network Institute, LLC

The Education Committee met with representatives from Nursing Network Institute, LLC and reviewed Part I of the application to establish a new licensed practical nursing program in New Jersey.

**After discussion, the Board upon a motion made by Connie Wilson and duly seconded by Luz Ramos voted to direct Nursing Network Institute, LLC to submit in a complete revision of Phase I and secure a Nurse Education Consultant. The motion carried.**

d. Branford Institute

The Education Committee met with representatives from Branford Institute and reviewed Part I of the application to establish a new licensed practical nursing program in New Jersey.

**After discussion, the Board upon a motion made by Connie Wilson and duly seconded by Karen Rodriguez voted that Branford Institute submit a complete revision of Phase I. The motion carried.**

2. **REGULATION COMMITTEE:**

**Karen Rodriguez reported: March 16, 2010 Committee Meeting**

**Old Business:**

1. N.J.A.C. 13:37-14: Homemaker- Home Health Regulations

The committee deferred the discussion until the next Regulation Committee meeting which is scheduled for May 18, 2010. The committee will review and discuss possible amendments to the rules.

2. N.J.A.C. 13:37-5.6: Responsibilities of licensure

The committee reviewed and discussed amendments to N.J.A.C. 13:37-5.6. The committee recommended to invite representatives from NJHA to the May 18, 2010 Regulation committee meeting to discuss the changes before this Committee recommends approving them.

**Discussion items:**

1. Sunset Regulations

The committee reviewed and discussed amendments to Sunset Regulations. The committee made a recommendation to the full Board to approve the changes.

**After discussion, the Board, upon a motion made by Karen Rodriguez and duly seconded by Connie Wilson, voted to approve the Regulation Committee Report of March 16, 2010. The motion carried.**

**NEW BUSINESS:**

Charles Manning, Regulatory Analyst discussed the following matter:

1. N.J.A.C. 13:37 – readoption of Board of Nursing Regulations

Every five years the Board's regulation ceased to be effective. The Board of Nursing regulations will cease to be effective on July 5, 2010.

The Board discussed proposed changes:

N.J.A.C. 13:37-2.2 (a) 3 Application requirements; professional and practical nurses

N.J.A.C. 13:37-5.3 Continuing Education

N.J.A.C. 13:37-7.5 Educational and examination certification requirements in the area of anesthesia on or before June 16, 2009

N.J.A.C. 13:37-7.8 Continuing Education

N.J.A.C. 13:37-9.3 Application for certification

N.J.A.C. 13:37-9.6 Clinical Education

N.J.A.C. 13:37-13.1 Nurse Anesthetist

N.J.A.C. 13:37-13.2 Practice pending the results of the examination

**After discussion, the Board upon a motion made by Karen Rodriguez and duly seconded by Noreen D'Angelo, voted to approve the readoption of N.J.A.C. 13:37 as amended.**

**APPEARANCE:**

Darlene Kane, Budget Analyst gave a detailed presentation of the projected budget of FY2010 for the Board of Nursing.

**After discussion, the Board upon a motion made by Karen Rodriguez and duly seconded by Noreen D'Angelo voted to go into closed session to seek advice of counsel on a disciplinary matter. The motion carried.**

**OPEN SESSION RESUMED:****NEW BUSINESS: (cont'd)**

CHHA Case Review – Due to a shortage in staff, the CHHA cases will be reviewed every other month during the disciplinary meeting.

**After discussion, the Board upon a motion made by Joni Jones and duly seconded by Luz Ramos voted to approve the changes regarding the reviewing of CHHA cases. The motion carried.**

**RATIFICATION:**

March 12, 2010 Open Minutes

**After discussion the Board, upon a motion made by Karen Rodriguez and duly seconded by Joni Jones, voted to approve the open session minutes of March 12, 2010 Disciplinary Meeting. The motion carried.**

**OPEN FORUM:**

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

- Phoebe Andes, Director of Nursing, Pineland School of Nursing commented on the NCLEX for the first graduating class and non English speaking students.

**After discussion, the Board upon a motion made by Joni Jones and duly seconded by Karen Rodriguez, voted to go into closed session to discuss disciplinary matters and nursing programs. The motion carried.**

**ADJOURNMENT:**

On April 20, 2010 the Regular Open Board Meeting was adjourned at 2:00 p.m. The next Regular Board Meeting will be held on June 15, 2010.

**After discussion the Board, upon a motion made by Karen Rodriguez and duly seconded Luz Ramos, voted to adjourn the Regular Open Board meeting of April 20, 2010 at 2:00 p.m. The motion carried.**

Respectfully Submitted,

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Patricia Murphy  
Board President