

**NEW JERSEY STATE BOARD OF NURSING
MINUTES
OPEN BUSINESS MEETING
APRIL 24, 2007**

A meeting of the New Jersey State Board of Nursing was held on April 24, 2007 in the Somerset Conference Room, 6th Floor, 124 Halsey Street, Newark, New Jersey. Leo-Felix Jurado, Board President, called the meeting to order at 9:10 a.m.

ROLL CALL

BOARD MEMBERS PRESENT:

Noreen D'Angelo Patricia Ann Murphy
Ronald H. Carr Mary Sibley
Leo-Felix Jurado Sara Torres
Irma Lupia Constance Wilson
Virginia McKenney

ALSO PRESENT:

Barbara Byers, Administrative Analyst
Carol Onajide, Education Program Development Specialist II
Margaret Howard, Field Representative
Michelle Carroll, Manager, CHHA Unit (limited purpose)
Darlene Lapola, Deputy Attorney General
Kathryn Schwed, Deputy Attorney General
Charles Manning, Regulatory Analyst (limited purpose)

BOARD MEMBER(S) EXCUSED ABSENCE:

Marietta Cahill
Karen Rodriguez
Nelson Tuazon

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 November 27, 2006. A schedule of all 2007 Regular Open Board Meetings to be held during 2007 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. A change in meeting notice was provided by mailing on April 17, 2007 and it was posted on the Board of Nursing website.

AGENDA: Open Regular Board Meeting Agenda of April 24, 2007: Reading and Approval with amendments:

To add under Committee Reports – 1) Budget Committee. 2) Legislation Committee. To add under New Business – Michele Carroll, Manager, CHHA Unit, will answer questions regarding agencies operating without a license.

After discussion the Board, upon a motion made by Constance Wilson and duly seconded by Irma Lupia, voted to approve the Open Business Meeting Agenda of April 24, 2007 as amended. The motion carried.

MINUTES:

Open Regular Board Meeting Minutes of March 20, 2007: Reading and Approval with corrections:

Pg. # 3 – 1) Provide additional details regarding the hiring of new employees. 2) Provide additional information regarding the renewal letter. 3) Provide additional information regarding the monthly statistics. 4) Correct wording regarding the Endorsement Department. Pg. # 7- Correct wording regarding Assembly Bill 4044. Pg. # 11 – (l) will be listed as informational only.

After discussion the Board, upon a motion made by Sara Torres and duly seconded by Irma Lupia, voted to approve the Regular Board Meeting Minutes of March 20, 2007 as amended. The motion carried.

REPORT OF THE BOARD PRESIDENT – LEO-FELIX JURADO:

Leo-Felix Jurado reported that:

He attended the 2007 National Council of State Boards of Nursing Mid-Year Meeting, which was held on April 3-4, 2007, in New Orleans, Louisiana.

During the meeting, a discussion ensued regarding concerns of the Member State boards. Some of the issues were related to the criminal history background checks, and an increased in disciplinary case. There are concerns regarding online prelicensure programs, an increase in practical and vocational nursing schools, the scope of practice for LPNs and the utilization of clinical simulation in lieu of students' clinical experience.

Other areas of concern identified by NCSBN included; conflicts with professional nursing organizations, commitment from Board members and Board member turnover. The Board of Nursing Presidents recommended to NCSBN that a meeting be held in July 2007 for the purpose of developing a draft of Board members responsibilities.

In August 2007 NCSBN will be hosting an online continuing education course for Presidents and Board members. The objectives of the course are to examine accountability and to foster strategic planning regarding future Board needs.

Continued competency for nurses. NCSBN is continuing to develop a framework to ensure continued competence for nursing. At this time, Boards of Nursing have many different approaches in licensing continued competence. Some States require continuing education hours, other States require practice hour and others require both, continuing education and practice hours.

Seeking Approval for:

May 8, 2007 – Leo-Felix Jurado - Speaking engagement at Newark Beth Israel Medical Center for Nurses Day.

May 11, 2007 – Leo-Felix Jurado - An appearance at Bergen Regional Medical Center.

May 20-23, 2007 Darlene Lapola or Kathryn Schwed - NCSBN Board Investigator & Attorney Workshop, San Francisco, CA. The meeting will focus on implications for disciplinary, and how to investigate cases in a troubled world.

After discussion the Board, upon a motion made by Patricia Murphy and duly seconded by Sara Torres, voted to approve the appearances of the Board President and Deputy Attorney General. The motion carried.

REPORT OF THE EXECUTIVE DIRECTOR:

Barbara Byers as follows:

Nursing Licensing Renewal Update:

As of April 19, 2007, 31,576 nurses have renewed their nursing license online. There are 41,229 outstanding nursing license renewals.

Board Statistics for March 2007:

RNs and LPNs for licensure by endorsement, reinstatement and examination:

1,190 licenses issued in March 2007
3,121 licenses issued year to date
9,897 licenses issued fiscal year to date
1,441 applications received in March 2007
3,380 applications received calendar year to date
9,670 applications received for the fiscal year to date

1,203 applications processed in March 2007
3,156 applications processed calendar year to date
9,973 applications processed fiscal year to date

47 open disciplinary cases opened in March 2007
185 open disciplinary cases opened calendar year to date, and
484 open disciplinary cases opened fiscal year to date

(Massage, Bodywork and Somatic Therapists)
55 applications processed in March 2007
147 applications processed calendar year to date
374 applications processed for the fiscal year to date

Several staffing changes have been made in the Board Office wherein one of the temporary employees has been reassigned to assist with the application process for the Massage, Bodywork and Somatic Therapy Department. The Board has hired an additional temporary employee to assist with the processing of Board of Nursing mail and with operations of the Board Reception Area.

Seeking Approval for:

May 2007 – Barbara Byers to attend a quarterly meeting at the New Jersey Hospital Association.

After discussion the Board, upon a motion made by Irma Lupia and duly seconded by Sara Torres, voted to approve the appearance of Barbara Byers. The motion carried.

COMMITTEE REPORTS:

BUDGET COMMITTEE:

Darlene Kane, Budget Analyst met with the Board to discuss the Fiscal Year 2007 Budget Report (1st Half)

The Board members requested clarification regarding the monies that are being distributed for Director/Administration services. The Board members also requested a detail breakdown of all charges directly related to the services of the Director/Administration office.

Darlene Kane will meet with the Board at the June 19, 2007 Regular Board meeting to provide the requested information.

2. EDUCATION COMMITTEE: - Sara Torres, Chairman

Sara Torres reported: Session I of the March 27, 2007 Meeting Report:

Correspondence:

February 27, 2007 – Email from Cumberland Community College

Re: FYI: Proposed floor plan, Wheaton building additions and renovations.
Staff acknowledged receipt of this information.

b. March 06, 2007 - Email from Kathleen Rohrbaugh, CGFNS International New Release.

Re: FYI: CGFNS met with Philippine Delegation to let them know that CGFNS is denying Visa Screen certification of the June 2006 passers of the license exam and this decision will not change. These test takers need to retake tests 3 & 5 with a score of 75.

March 09, 2007 – Faxed letter from Kathleen Burke, PhD, RN, Assistant Dean, Joint Programs, UMDNJ School of Nursing & Ramapo College of New Jersey

Re: Change in ownership. Ramapo College will be the owner.

Staff contacted Ramapo College regarding accreditation status with NLNAC and a focused visit is planned.

March 2007 - Letter from NLN-faculty Development.

Re: FYI: Education programs available in audio-web seminars, workshops, and conferences.

March 13, 2007 – Letter from Ellen G. Ehrlich, EdD, RN, Professor Chair Nursing Department, College of Saint Elizabeth

Re: FYI: New graduate program, Masters of Science in Nursing

March 19, 2007 – Email from Texas Board of Nursing

Re: FYI: Belford University – Fraudulent Institution

Global Relevance Annual Report 2006

Re: FYI: Annual report from CGFNS

Patricia L. Truitt, RN - Self-Study LPN Refresher Course

Re: This refresher course will be added to the list of refresher courses

UMDNJ

Re: FYI: Catalog / University Report

NCLEX Program Reports

Re: New Brochure received regarding information on NCLEX results for LPN and RN programs from NCSBN

2. Curriculum Changes

Gloucester County College

Staff contacted the College for additional information regarding program objectives, program outcomes, and transitioning. The additional materials were received and the Committee makes the following recommendation:

After discussion the Board, upon a motion made by Sara Torres and duly seconded by Patricia Murphy, voted to approve the curriculum changes for Gloucester County College. The motion carried.

3. Renewal of Accreditation

County College of Morris (additional submissions)

The Committee reviewed the additional submissions from the County College of Morris. Based on its review, the Committee made the following recommendation.

Board President Leo-Felix Jurado recused himself from the proceeding.

After discussion the Board, upon a motion made by Sara Torres and duly seconded by Patricia Murphy voted

approve renewal of accreditation for 8 years for the County College of Morris. The motion carried.

Passaic County Community College

An additional submission regarding licensure verification for faculty was received and reviewed.

Sara Torres reported: Session II of the March 27, 2007 Meeting Report:

Correspondence:

March 05, 2007 – Letter from Thomas F. McHugh, SVP – Chief Compliance Officer, Lincoln Educational Services.

Re: FYI: Lincoln Educational Services is the new owner of Harrison Career Institute LPN program in Deptford, New Jersey.

March 07, 2007 – News Article “Gloucester County Times”

Re: FYI: Lincoln Tech takes on HCI site. News article describing the purchase of Harrison Career Institute.

New Program Application (Appearances)

a. Crossroads Career Institute - Part II

The Education Committee has been meeting with Crossroads Career Institute (CCI) regarding their application to begin a LPN program for approximately 4 years. Presently the Committee reviewed the application submissions and met with representatives from CCI. The review indicated that the application continues to have deficiencies therefore the Committee makes the following recommendation pursuant to N.J.A.C. 13:37-1.2 (c) 3:

After discussion the Board, upon a motion made by Sara Torres and duly seconded by Constance Wilson, voted to deny Crossroads Career Institute permission to establish a new LPN program. The motion carried.

After discussion the, Board upon a motion made by Noreen D’Angelo and duly seconded by Patricia Murphy, voted to refer establishing a potential timeframe for applications for new nursing programs to the Regulation Committee for further review. The motion carried.

b. Universal Training Institute’s - Part I

The Committee reviewed Universal Training Institute’s Part I application submission and met with representatives from the program. Based on its review the Committee requested further revision and clarification, which was submitted and favorably reviewed. Therefore the Committee makes the following recommendation:

After discussion the Board, upon a motion made by Sara Torres and duly seconded by Irma Lupia, voted to approve Part I of the preliminary application for the establishment of a new Licensed Practical Nursing program; Universal Training Institute is granted permission to pursue development of Part II of application process. The motion carried.

c. Sierra Allied Health Academy – Part II review

The Committee reviewed Sierra Allied Health Academy’s Part II application submission and met with representatives from the program. Based on its review the Committee requested further clarification, which was received and site visit will be made with the Department of Labor and Workforce Development and the Department of Labor when the school completes their applications with those departments.

d. Grace Vocational Nursing School—Part I

Grace Vocational Nursing School: Has submitted the additional materials as requested which were favorably reviewed by the Committee. Therefore the following recommendation is made:

After discussion the Board, upon a motion made by Sara Torres and duly seconded by Irma Lupia, voted to approve Part I of the preliminary application for the establishment of a new Licensed Practical Nursing program; Grace Vocational Nursing School is granted permission to pursue development of Part II of application process. The motion carried.

After discussion the Board, upon a motion made by Ronald H. Carr and duly seconded by Constance Wilson, voted to approve Sessions I and II of the Education Committee Report. The motion carried.

3. REGULATION COMMITTEE:

Old Business:

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

Margaret R. Bush, RN, MSN, CNS, BC, President of the New Jersey School Nurses Association, attended the Regulation Committee Meeting for discussion of the Board of Nursing's requirements for 30 contact hours for two years and how the New Jersey Department of Education's requirements for 100 professional development hours every five years can be used for school nurses to comply with N.J.A.C 13:37-5.3 Continuing Education. The Committee discussed the competency for nursing practice and the use of nursing programs that are professional development hours for compliance with the Board's continuing education regulation. Charles Manning, Regulatory Analyst, will draft regulatory language for the Committee's review at the next available Committee Meeting.

School Nurses and Continuing Education:

Considering Ms. Bush's presentation the Committee discussed amendments to N.J.A.C. 13:37-5.3. The Committee decided to amend N.J.A.C. 13:37-5.3 so that any continuing education course or program which complies with the requirements of a State or Federal agency would be recognized as an approved course for the Board's continuing education requirements. Charles Manning will bring a draft of these changes to the next available Committee Meeting.

3. Alternative to Discipline Monitoring Program:

Charles Manning, Regulatory Analyst, and Kathryn Schwed, Deputy Attorney General, will work on N.J.A.C 13:37-10.4 draft rules for the Alternative to Discipline Program, and will bring the draft rules to the next available Committee Meeting.

4. Permissive LPN Educated as RN Rule:

The Committee discussed whether N.J.A.C. 13:37-2.2 and N.J.A.C. 13:37-4.1 should be amended to specifically state that a registered professional nursing program is a valid substitute for a licensed practical nursing program for licensure as a licensed practical nurse. The Committee decided to delete from the regulations the prohibition of registered nurse graduates from taking NCLEX-PN for licensure as a Licensed Practical Nurse.

N.J.A.C. 13:37-6.4, Identification Tag Regulation:

The Committee approved amendments to N.J.A.C. 13:37-6.4 which recognize that the identification tag requirement cannot be waived when a nurse is required to wear an identification tag pursuant to N.J.S.A. 34:8-79. These amendments will be presented to the Board for discussion and action.

Renewal Refresher Course:

The Committee discussed amendments to N.J.A.C. 13:37-5.2 that would impose a refresher course as a pre-requisite of reinstatement or reactivation of a lapsed license after five years. Charles Manning will bring a draft of

these changes to the next available Committee Meeting.

Foreign Educated Nurses:

The Committee discussed amendments to N.J.A.C. 13:37-2.3 that would recognize the World Evaluation Services (WES) as a valid transcript evaluation service and the International English Language Testing System (IELTS) examination as a valid English proficiency examination. The Committee also discussed whether the rule should be amended to impose a timeframe for the validity of an English proficiency examination. The Committee decided that such a timeframe would not be appropriate. Charles Manning will bring a draft of these changes to the next available Committee Meeting.

New Jersey Board of Medical Examiners Proposed Corporate Practice Rule:

The Committee discussed a letter to Sindy Paul, M.D., President of the New Jersey Board of Medical Examiners, regarding a meeting to discuss concerns the Board of Nursing has with recently approved amendments to the Board of Medical Examiners Proposed Corporate Practice Rule.

After discussion the Board, upon a motion made by Noreen D'Angelo and duly seconded by Ronald H. Carr, voted to approve the Regulation Committee Report of March 27, 2007. The motion carried.

4. LEGISLATION COMMITTEE: Ronald H. Carr, Chairman

The Committee reviewed Senate Bill 2489 – Provides for religious accommodation regarding admission procedures at licensed health care facilities.

The Committee stated that all religions should be recognized accordingly.

After discussion the Board, upon a motion made by Patricia Murphy and duly seconded by Irma Lupia, voted not to support Senate Bill 2489. The motion carried.

NEW BUSINESS:

1. Michele Carroll, Manager, CHHA Unit, will answer questions regarding agencies operating without a license

Pre-renewal forms were mailed to CHHAs to verify that they are working and the employers must complete the form and send them back to the Board office. Home Care Agencies must provide information about the business.

The New Jersey Department of Health and Senior Services (NJDHSS) regulates home Health Care Agencies. The Board uses the NJDHSS's website to verify the licenses of the agencies to make sure the agencies are licensed to operate a business in New Jersey.

2. President Jurado gave a brief update on the NCSBN Vision Paper.

The reason to develop a new model

Discussed current APN dialogue

A meeting of the APN Consensus Work Group

Focus of discussion

Licensure

Accreditation

Certification

Education

APN Consensus Work Group roles

NP

CNS

NA

NM

Discussed ways to regulate APN practice

APN Joint Dialogue

Still under discussion

Definition

Education

Assessment

3. Dr. Patricia Murphy, Board Member discussed the review of the Board of Nursing Algorithm on Determining Scope of Practice and for Making Delegation Decisions.

Dr. Murphy provided an overview on the content of and how nurses are to use the Algorithm for Determining Scope of Nursing Practice and for Making Delegation Decisions to move nursing practice forward.

4. Barbara Byers, Administrative Analyst, and Charles Manning, Regulatory Analyst, discussed the New Jersey Board of Nursing Regulations and amendment to the Regulations on Delegation of Selected Nursing Tasks.

The Board worked on the regulations for Delegation and there have been revisions to the regulations.

Licensure by Exam and APN Certification

Carol Onajide provided a detail presentation of the requirements for licensure as a RN and LPN before sitting for the NCLEX licensing examination.

ANNOUNCEMENT:

Kathryn Schwed, Deputy Attorney General will be retiring on July 1, 2007.

OPEN FORUM:

Leo-Felix Jurado asked the public to share with the Board of Nursing any concerns, issues or questions:

There were no comments from the public.

After discussion the Board, upon a motion made by Ronald H. Carr and duly seconded by Irma Lupia, voted to go into closed session to discuss complaints against nursing programs. The motion carried.

After discussion the Board, upon a motion made Ronald H. Carr and duly seconded by Irma Lupia, voted to go into open session. The motion carried.

ADJOURNMENT:

On April 24, 2007 the Open Business Meeting was adjourned at 12:30 p.m. The next Open Business Meeting will be held on May 15, 2007.

After discussion the Board, upon a motion made by Ronald H. Carr and duly seconded by Virginia McKenney, voted to adjourn the Open Business meeting of April 24, 2007 at 12:30 p.m. The motion carried.

Respectfully Submitted,

Noreen D'Angelo
Board Secretary/Treasurer