

# **Board of Nursing**

**May 16, 2000**

## **Regular Open Board Meeting**

A meeting of the New Jersey State Board of Nursing was held on May 16, 2000 in the Hudson Conference Room, 6th Floor, 124 Halsey Street, Newark, New Jersey. Maris A. Lown, President, called the meeting to order at 9:30 a.m.

### **ROLL CALL**

#### **PRESENT**

Present were Board Members: Phoebe C. Andes, Noreen D'Angelo, Richard Freda, Maris A. Lown, Virginia McKenney, Joan Farrell Monaghan, Nelson Tuazon, M. Catherine Dulio, Karen Rodriguez.

#### **ALSO PRESENT**

Deputy Attorney(s) General: Gus Lembo, Joyce Brown, Kathryn Schwed, Sharon Joyce, Lynn Dennis, Patricia A. Polansky, Executive Director, New Jersey State Board of Nursing, Margaret Bennett, Deputy Executive Director, Harriet L. Johnson, Assistant Executive Director, Barbara Byers, Administrative Analyst, New Jersey State Board of Nursing.

#### **NOT PRESENT**

Board Members: Elizabeth English, Dr. Muriel Shore.

#### **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 January 3, 2000. A schedule of all 2000 Regular Open Board Meetings to be held during 2000 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.

#### **MINUTES:**

A reading and approval of the minutes for the Regular Open Meeting of March 21, 2000.

**THE BOARD, UPON A MOTION MADE BY NELSON TUAZON AND DULY SECONDED, VOTED FOR APPROVAL OF THE MINUTES OF THE REGULAR BOARD MEETING OF MARCH 21, 2000.**

M. Lown requested to amend the agenda to place the second item under Communication - the letter dated March 13, 2000 from Flaster Greenberg to the end of the agenda, and under Committee Reports number 3 - Education Committee - cross off NCLEX Results as there are no NCLEX Results to be reported at this time.

**THE BOARD, UPON A MOTION MADE BY JOAN FARRELL MONAGHAN AND DULY SECONDED, VOTED TO APPROVE THE REVISED AGENDA: 1.) COMMUNICATION #2 TO THE END OF THE AGENDA, AND 2.) REMOVE EDUCATION COMMITTEE NCLEX RESULTS DUE TO NO RESULTS TO BE REPORTED AT THIS TIME.**

#### **MARIS A. LOWN - REPORT OF THE PRESIDENT**

M. Lown reported. M. Lown continues to represent the Board on the Nursing Advisory Committee to the Commissioner of Health and to the Colleagues In Caring Steering Committee. The Governor's Merit Award Dinner will be held on June 8, 2000 at the Princeton Marriott Hotel in Princeton, New Jersey.

M. Lown chaired a committee that revised the Merit Award Application. The committee's work has been completed, it will be reviewed by the Nursing Advisory Committee at its next meeting, and hopefully the revised criteria will be place for next year. Colleagues In Caring met recently. The next Steering Committee meeting is scheduled for July.

### **PATRICIA A. POLANSKY - REPORT OF THE EXECUTIVE DIRECTOR**

P. Polansky reported. Note: In your packet is the resignation letter from Judith Godsey -Wehnau, Board Member, New Jersey Board of Nursing.

Sexual Assault Protocol Council Meeting held on April 10, 2000. Update: Approval of Standardized Rape Kits which will be available at the end of April and the start of the Sexual Assault Response Team (SART) training and mandated hiring of a coordinator, training has started for all of the various teams in the State of New Jersey.

The following are the county-by-county updates:

**Cape May Court** - Two sexual assault nurses starting a program.

**Salem** - There is a coordinator who is an advanced practice nurse as well as a SANE nurse and four nurses working in the program.

**Cumberland** - Named a coordinator, SART team, and are looking for six nurses for their program.

**Gloucester** - Program up and running - actually naming another coordinator with a speciality in child sexual assault in their county.

**Ocean County** - Part time program with a SANE nurse which is now ready to go.

**Burlington** - Not formally organized as yet.

**Monmouth** - Up and running, had several cases - two convictions and one acquittal.

**Middlesex** - Hired a Director of Nursing for the county program - SANE supported by the Health Department.

**Somerset** - Women's Health and Counseling Center - Part time five days.

**Sussex** - Up and running program with a nurse coordinator.

**Camden** - Teaching nurses regarding photographs injuries for testimony.

**Passaic** - Committed and moving ahead - SART group is working with hospitals in that county.

**Morris** - Beginning stages - received second part of their grant - very strong Rape Care Advisory Program.

**Warren County** - Developing two hospitals.

**Hudson County** - Not formalized yet.

**Union County** - Resources together to hire a program coordinator and qualify nurses.

**Essex County** - Which is number one for statistics on Sexual Assaults. Meeting with all of the hospitals in Essex County for the last year and a half. Developing a multi disciplinary program coordinator in the Prosecutor's office - Identified a SANE Coordinator, Police officer, practicing nurse, and a SART coordinator. Also was asked by New

York and other states to speak on what New Jersey has accomplished to date.

**Bergen** - Just starting; Prosecutor on board.

**Mercer** - Applying for their grant - they have an Advisory Board, hospitals on the board, prepared for program coordinator, prosecutor support, rape care advocacy in place, five of the county hospitals - Robert Wood Johnson, Helene Fuld, Capital Health System and Medical Center in Princeton all are involved.

**Burlington** - Working on their coordinator program.

Additionally, **Hunterdon** - Apparently will not be applying.

During the Middle of July, Rutgers will be having a program that is open to physicians -

A SANE Newsletter has been developed, as well as a victims satisfaction survey, and a subcommittee that deals with tracking.

B. Meetings of the Massage, Bodywork and Somatic Therapy Committee were held on April 18, 2000 and May 10, 2000. At the last meeting, the committee elected their officers and set out their schedule. The Massage, Bodywork and Somatic Therapy Committee will be meeting one day a month. Regulations for the Massage, Bodywork and Somatic Therapy hopefully will be drafted within a two year period.

C. P. Polansky, Executive Director, Board of Nursing, and Anthony Miragliotta, Deputy Director, Division of Consumer Affairs will be attending every meeting of the Massage, Bodywork and Somatic Therapy for the upcoming year and a half. Kathryn Schneider is the new Executive Director of the Massage, Bodywork and Somatic Therapy Board as an Assistant Executive Director of the Board of Nursing. Joyce Brown is the Deputy Attorney General for the Massage, Bodywork and Somatic Therapy Board and Chuck Manning, the Regulatory Analyst.

A representative from the American Red Cross will present at the next Regular Open Board Meeting.

Note in Board packets a memorandum from Catherine Farley, Deputy Assistant Director, Division of Consumer Affairs, regarding 2000 Compensation Schedule for members of the Board.

Renewal Status Report - As of May 5, 2000 of the 65,433 (NO/P/R/W) and 1,293 (NN/C) renewal applications mailed, 47,698 or 73% (NO/P/R/W) and 1,017 or 79% (NN/C) have been processed and new certificates/licenses mailed.

Y2000 courses for Homemaker-Home Health Aides are now on the web as of May 1, 2000.

Fiscal Year 2000 Budget Report for the first half of the fiscal year which ends in June is also in the board packet for informational purposes.

I. P. Polansky especially thanked Barbara Byers and the administrative support team for the enormous task in formulating and implementing the Pain Management and End-of-Life Care Program. As of Friday May 12, 2000 there were a total of 330 registrations to attend this program.

J. The Division of Consumer Affairs Deputy Director Anthony Miragliotta held a meeting on May 22, 2000 with all Executive Directors regarding new amendments to the Uniform Enforcement Act.

K. FYI - In your communication packets - The New Jersey Board of Nursing Fact Sheet: Decision Making Model for Determining Scope of Nursing Practice and N.J.A.C. 13:37-6.2, Delegation of Selected Nursing Tasks, as it appears on the Web.

L. FYI - Division of Consumer Affairs Organizational Chart regarding changes at the Division.

M. Mandating Criminal Background Check for all the existing Certified Homemaker-Home Health Aides and those Certified Nurse Aides under the Department of Health and Senior Services, approximately 54,000 total aides across the

State of New Jersey. The Governor signed Senate Bills 116 and 124 on Wednesday, May 3, 2000.

N. A presentation on Medication Administration will be presented at today's Meeting.

O. The AHRQ Research Activities guide is also in your packets.

P. FYI - Massachusetts Board of Registration in Nursing - Nursing Board takes action in Chemotherapy Overdose Cases.

Q. Also included is Texas Nursing Cover Story - TNA Launches New Organization and the Professional Licensing Report Newsletter regarding budget, the filing of lawsuits and buying real estate as a pilot project.

R. P. Polansky seeks approval for:

1.) B. Byers to speak at Hagerdon Psychiatric Hospital, Glen Gardner, N.J., May 10, 2000 - Program on Delegation of Selected Nursing Tasks (N.J.A.C. 13:37-6.2).

2.) P. Polansky invited to Seton Hall University - The 60th Anniversary Gala on June 7, 2000 and

3.) P. Polansky and/or B. Byers to attend the June 2, 2000 Practical Nurse Educators Meeting at BCIT Medford Campus, Medford, New Jersey.

**THE BOARD, UPON A MOTION MADE BY NELSON TUAZON AND DULY SECONDED, VOTED FOR APPROVAL OF THE FOLLOWING APPEARANCES:**

**1.) B. BYERS TO SPEAK AT HAGERDON PSYCHIATRIC HOSPITAL, GLEN GARDNER, NJ - MAY 10, 2000 - PROGRAM ON DELEGATION OF SELECTED NURSING TASKS (N.J.A.C. 13:37-6.2).**

**2.) P. POLANSKY INVITATION TO SETON HALL UNIVERSITY - THE 60TH ANNIVERSARY GALA ON JUNE 7, 2000. 3.) P. POLANSKY AND/OR B. BYERS TO ATTEND THE JUNE 2, 2000 PRACTICAL NURSE EDUCATORS MEETING AT BCIT MEDFORD CAMPUS, MEDFORD, NEW JERSEY.**

S. "Communication Packet" - includes:

**1.) National Council of State Boards of Nursing, Inc. Newsletter to the Member Boards - General Information - Volume 20 Number 8 - April 14, 2000.**

**2.) Synopsis of National Council Communique.**

**3.) New Jersey Board of Nursing Fact Sheet: Decision Making Model for Determining Scope of Nursing Practice and N.J.A.C. 13:37-6.2, Delegation of Selected Nursing Tasks.**

**4.) Memorandum Dated April 24, 2000 from Mark S. Herr, Director, Division of Consumer Affairs Re: Staff Changes.**

**5.) Professional Licensing Report Newsletter - Scope of Practice - Volume 12, Number 1 - July 1999.**

**6.) Board of Medical Examiners (BOME)**

**1.) Old Business: Academy of Ophthalmology First and Second Petitions for Rulemaking - N.J.A.C. 13:35-5 Ophthalmologic Surgery (First Petition) Management of Surgical Care (Second Petition).**

**(2.) Physician Training for a New Century - Informal Conference**

**(3.) Inquiry from NJ Pediatric Medical Society.**

**(4.) Academy of Ophthalmology First and Second Petitions for Rulemaking - N.J.A.C. 13:35-5 Ophthalmologic surgery (First Petition) Management of Surgical Care (Second Petition).**

**(5.) Practice Standards for the Performance of Permanent Cosmetic Tattooing - Draft Regulations.**

**(6.) New Business: Proposed Amendment to Advertising Regulation.**

**(7.) Surgical and Anesthesia Standards in Physicians' Offices -Alternative Credentials.**

**(8.) Informational: Education Offerings.**

**(9.) Fifty First Annual Meeting of Region Three of the American Pediatric Medical Association.**

**(10) Senate No. 575 "New Jersey Health Care Consumer Information Act.**

**(11.) CDS Prescribing by Advanced Practice Nurses.**

**(12.) "The Future is Now" Electronic Prescribing.**

**(13.) Proposed Rule - Clinical Competency Examination New Jersey State Board of Chiropractic Examiners.**

**7. Massachusetts Board of Registration in Nursing - For Immediate Release - March 15, 2000 - Nursing Board Takes Action in Chemotherapy Overdose Cases.**

**8. Cover Story from: Texas Nursing - "TNA Launches New Organization Professional Connections: Limited Benefits, Lower Costs" - March 20, 2000.**

**10. Article from:**

**1.) The Record - "Aid & Comfort"**

**2.) The Star-Ledger - "Nurses Go Door To Door To Root Out TB" - Dated March 24, 2000.**

**3.) The Star-Ledger - "Nurses Warned to Cut Fingernails After Baby Deaths Tied to Bacteria - Dated March 24, 2000.**

**11. Clipping from the 10th Legislative District Report - "Crime Records Should Be Open On Home Aides".**

**12. Judith G. Godsey-Wehnau, Board Member, Resignation Letter.**

T. A summary of monies collected and processed at the Board of Nursing was passed around for informational purposes.

## **COMMUNICATION:**

**1. LETTER DATED MARCH 24, 2000 FROM ST. FRANCIS SCHOOL OF NURSING, JERSEY CITY, NEW JERSEY**

Requesting a letter from the Board stating that we have been informed of the change of ownership for St. Francis School of Nursing.

## **COMMITTEE REPORTS:**

**1. INTERVENTION PROGRAM TASK FORCE COMMITTEE**

M. Lown reported. The Intervention Program Task Force Committee has conducted its work. We are waiting for the appointment of an individual who will initiate and direct this program.

## **2. BUDGET & FINANCE COMMITTEE**

No report.

## **3. EDUCATION COMMITTEE**

M. Lown reported. The Nursing Education Committee met on May 9, 2000. Conducted an orientation for the Program Director, Barbara Warner, Chair of Atlantic Cape Community College, Department of Nursing. Many thanks goes to M. Bennett and the Board of Nursing staff for the new orientation manual; which is well organized and regularly updated.

### **Issue: Less than 80% NCLEX Results for Practical Nurse Programs**

Marion A. Mullarkey, Program Development Specialist for the State of New Jersey Department of Education, discussed the Departments' plan of action proposed for LPN programs. Dr. Henry has sent a letter to each program that has had NCLEX result less than 80%. He advised the schools that they will be put on probation if the scores do not improve.

### **Issue: Commission on Graduates of Foreign Nursing Schools**

M. Bennett reported. Official vocational transcripts from foreign countries are difficult to decipher. Previously it was requested that the applicant send the transcript to an evaluation service. Some services provide inadequate analysis of transcripts. M. Bennett visited the Commission on April 4, 2000. The purpose of the visit was to investigate if the Commission could adapt their report to New Jersey Board of Nursing regulations. CGFNS can adapt the transcript evaluation to the New Jersey Board of Nursing regulations. The Commission also has the capacity to incorporate license verification as part of the evaluation.

### **Recommendation:**

The Education Committee has referred the recommendation of incorporating the need for CGFNS evaluation of foreign vocational transcripts into the Board of Nursing regulations to the Regulatory Review Committee.

### **Issue: Union County College LPN Program - Action Plan**

Ellen Boddie, RN, Coordinator and representatives from the faculty of Union County College Practical Nursing Program presented an overview of the Union County College Practical Nursing Program Action Plan to the Education Committee.

The Education Committee will evaluate the presented materials and review their comments with Ellen Boddie and representatives of the faculty at the next Education meeting.

### **Issue: Externship Program for Nursing Students**

The Board of Nursing staff will search other State Boards to see if they have incorporated the concepts of externship or preceptorship into their regulations. The information will be reported back to the Education Committee.

### **Issue: Revision of Nursing Education Regulations**

Chuck Manning, Regulatory Analyst, reviewed comments from the Licensed Practical Nurse Community on the proposed changes to the Education Regulations. Appropriate revisions were made to the existing document. Tentatively, the final draft of the proposed Education Regulations will be ready to be presented to the Board at the June 20, 2000 meeting.

## **Issue: Education Committee Meeting Dates**

The Education Committee dates in June and July 2000 have been changed to June 21 at 9:00 a.m. to 12:00 p.m. and July 19 at 9:00 a.m. to 12:00 p.m.

## **4. LEGISLATIVE REVIEW PANEL**

M. Bennett reported.

The committee selected Dr. Muriel Shore as the emergency point person. The alternate(s) will be Maris Lown, President and Virginia McKenney, Public Member.

The Legislative Review Panel reviewed **Assembly Bill 2316** - Sponsor: Kenneth C. Lefevre and Francis J. Blee. Introduced May 1, 2000. This bill requires health insurers to provide health coverage for treatment of pathological gambling. **Position - Oppose.** Comment(s): (1.) Disability is not covered by A.D.A. (2.) Why single out this disability? (3.) The Board of Nursing considers this to be over regulation.

**Assembly Bill 2314** - Sponsor: Robert J. Smith - Introduced May 1, 2000. This bill prohibits managed care carriers providing prescription drug coverage from requiring covered persons to purchase prescription drugs that are in form of double-dose tablets or pills. **Position - Oppose.** Comment(s): (1.) Does this issue need to be codified? (2.) No documentation or data to support the need of this regulation. (3.) If there is a need, then the appropriate state agency can adapt regulations to address this issue.

**Assembly Bill 2313** - Sponsor: Leonard Lance & Christopher "KIP" Bateman - Introduced May 1, 2000. This bill requires health insurers to provide coverage for colorectal cancer screening. **Position - Monitor for more information.** Comment(s): (1.) The Board of Nursing supports all prevention. Screenings were singled out. (2.) Questions the possible health increased cost to consumers.

**Assembly Bill 2299** - Sponsor: John C. Gibson & Christopher "KIP" Bateman - Introduced May 1, 2000. This bill provides for a special volunteer license for physicians who practice under certain limited circumstances. **Position - Monitor for more information.** Comment(s): (1.) Questions the justification/need for this bill. (2.) Language of the bill is ambiguous. (3.) The term "Volunteer" needs to be defined. (4.) "Direct supervision" term needs to be defined.

**Assembly Bill 2292** - Sponsor: John E. Rooney - Introduced March 27, 2000. This bill requires prescription drug labels to bear brand name of prescribed drug as well as name of any generic drug substituted for brand name drug. **Position - Support.** Comment(s): 1.) Promotes public protection. (2.) Improves public education. (3.) Recognizes advanced practice nurses.

**Senate Bill 1183** - Sponsor: Joseph M. Kyrillos, Jr. - Introduced March 27, 2000. This bill creates the "Uniform Electronic Transactions Act." **Position - Support.** Comment(s): (1.) Allows for uniform standards. (2.) Prevents ambiguity. (3.) Helps to facilitate information. (4.) Reduces medication errors.

**Assembly Bill 2241** - Sponsor: Nicholas Asselta & Joseph V. Doria Jr. - Introduced March 20, 2000. Bill summary: "Health Care Provider Joint Negotiation Act". **Position - Neutral.** Comment(s): (1.) Outside of the Board of Nursing's jurisdiction. (2.) Department of Health and Senior Services, the Medical Society, the Department of Insurance and Banking, New Jersey Hospital Association and other like bodies of trade and associations would be better equipped to address this bill's ramifications.

**THE BOARD, UPON A MOTION MADE BY JOAN FARRELL MONAGHAN AND DULY SECONDED, VOTED TO ENDORSE THE RECOMMENDATIONS OF THE LEGISLATIVE REVIEW PANEL.**

## **5. NURSING PRACTICE COMMITTEE**

**J. Farrell Monaghan reported.**

### **Issue: Pain Management and End-of-Life Care Program**

The program registration is 350 of which 334 are licensed nurses from across nursing practice settings and nursing education programs. There will be 6.4 contact hours granted for this program approved by the New Jersey State Nurses Association, an accredited approver of continuing education in nursing by the American Nurses Credentialing Center's Commission on Accreditation. This program offering has been approved by New Jersey State Nurses Association for a two year period wherein 6.4 contact hours can be granted.

### **Issue: CDS and DEA Registrations for Advanced Practice Nurses**

To date 783 New Jersey Advanced Practice Nurse's have obtained their CDS registrations. The New Jersey Drug Enforcement Administration staff has reported that 198 DEA applications have been approved and 138 DEA applications are pending. Advanced Practice Nurses who wish to prescribe CDS have been granted an extension of time from March 1, 2000 to June 1, 2000 to obtain their DEA numbers and updated prescription pads.

A Fact Sheet and Guidelines for Advanced Practice Nurses regarding CDS and DEA registrations have been forwarded to the Print Production Department of the Division of Consumer Affairs to be placed on the Board of Nursing web site. The fact sheet was also mailed to the New Jersey State Nurses Association, the New Jersey Hospital Association, and the Advanced Practice Forum of the New Jersey State Nurses Association to go on their web sites.

### **Issue: Prescribing Physical Therapy Consults**

The issue of Advanced Practice Nurses prescribing physical therapy consults is being reviewed by the appropriate Deputy Attorneys General.

### **Issue: Nursing Practice Committee Annual Report for 1999**

The committee included representatives from the health care community for effective and expeditious resolution of practice issues.

Regulations were promulgated and public comments have been reviewed, in collaboration with the Board of Medical Examiners and the Division of Consumer Affairs, for Advanced Practice Nurses to formulate joint protocols with their collaborating physicians for prescriptive practice.

Two practice decision-making models were developed and mailed to New Jersey employers, schools, state agencies and nursing interest groups.

The Board approved regulation revision that would allow Advanced Practice Nurses who are certified in another state, but who do not hold the MSN to practice within a designated time period provided they obtain the MSN in that time period.

A number of practice questions from the community were brought to the committee for discussion and resolution.

The Board approved revisions in Subchapter 7 for promulgation in the New Jersey Register.

The Board, in collaboration with the Department of Law and the Division of Consumer Affairs, implemented the law on November 1, 1999 allowing Advanced Practice Nurses to prescribe CDS under joint protocols with their collaborating physicians.

The Board approved initiatives to strengthen nursing practice and nursing education regarding Pain Management and End-of-Life Care, including joint dialogue with other New Jersey health care boards for consistent regulation on this issue.

In December 1999, the City of Hope Medical Center in Duarte, California mailed educational resource materials, consistent with the Board's initiatives on Pain Management and End-of-Life Care, to New Jersey health care agencies,

schools of nursing, and health care service firms. This effort was part of a research project funded by Robert Wood Johnson Foundation to strengthen nursing education and improve Pain Management and End-of-Life Care.

The Board promulgated and implemented regulations requiring New Jersey licensed nurses and ancillary certificate holders to wear an ID tag, with specified lettering size, while engaged in patient care.

The Board continued to monitor developments in Alternative Therapies, Multi-state Licensure, and CRNA practice.

## **6. REGULATORY REVIEW TASK FORCE**

### **C. Manning reported.**

The Regulatory Review Task Force Committee will meet on May 23, 2000 for further discussion and review; updated draft regulations will then be presented at the next Regular Open Board meeting scheduled for June 20, 2000.

### **UNFINISHED BUSINESS:**

#### **1. LICENSURE BY ENDORSEMENT - REGULATORY REVIEW**

C. Manning, Regulatory Analyst from the Division of Consumer Affairs reported on: 13:37-4.1 Eligibility Requirements; Licensure by Endorsement for discussion.

#### **2. SUBCHAPTER 7**

C. Manning, Regulatory Analyst from the Division of Consumer Affairs reported on: N.J.A.C. 13:37-7.1 Application for Certification; N.J.A.C. 13:37-7.1(C) AND 7.11, requires further review of language.

#### **3. JOINT PROTOCOLS FOR ADVANCED PRACTICAL NURSES**

C. Manning, Regulatory Analyst from the Division of Consumer Affairs reported on Joint Protocols for Advanced Practice Nurses and Collaborating Physicians for further review and discussion.

#### **4. INTERVENTION PROGRAM COMMITTEE**

##### **P. Polansky reported.**

Will follow-up with the individual who has been recommended for hire into the Intervention Program Committee position.

#### **5. MSR - UPDATE**

No report.

### **SCHOOL AND AGENCY SURVEYS:**

Thomas Jefferson University

##### **M. Lown reported.**

Thomas Jefferson University has applied for licensure in the State of New Jersey to offer six RN to BSN courses towards the BSN degree. A comprehensive report will be presented to the Board at its next Regular Open Business Meeting scheduled for June 20, 2000.

M. Lown is seeking a motion by the Board to change the agenda. Addendum: A memorandum received from Sharon Joyce, Deputy Attorney General.

**THE BOARD, UPON A MOTION MADE BY NELSON TUAZON AND DULY SECONDED, VOTED A CHANGE IN AGENDA - ADDENDUM.**

**OPEN FORUM:**

M. Lown asked the audience to share with the Board of Nursing any concerns, issues or questions.

**UNFINISHED BUSINESS:**

**1. LETTERS DATED MARCH 13, 2000 AND APRIL 27, 2000 FROM FLASTER GREENBERG ATTORNEYS AT LAW, CHERRY HILL, N.J.**

Alma Saravia, Attorney representing the New Jersey Association of Nurse Anesthetists, sent a letter concerning the recent decision by the Appellate Division in their challenge regarding supervision requirements set forth in the in-office anesthesia regulation of the New Jersey State Board of Medical Examiners' The New Jersey Association of Nurse Anesthetists reviewed the Court's decision which states that the challenge to the supervision requirement was, in fact, an "interlocutory appeal" since the Board of Medical Examiners has not implemented the supervision aspects of the regulation nor adopted the alternative credentialing section. The Appellate Division determined that the Board of Medical Examiners has not taken a final action with respect to this issue, and the dismissal of the appeal is without prejudice. New Jersey Association of Nurse Anesthetists may appeal from the Board of Medical Examiners' final action at the appropriate time. The Board of Medical Examiners were advised that if the Board of Medical Examiners lifts the stay of enforcement or implements the alternative supervision sections of the in office anesthesia regulation, the New Jersey Association of Nurse Anesthetists is prepared to resume its legal challenge to the regulation. If the Board of Medical Examiners approves the proposed regulation, the proposal must then be published in the New Jersey Register. If the regulation is adopted, a physician will have one year from the effective date to submit an application for alternative credentials. The physician may continue to offer services until the application is processed.

**THE BOARD, UPON A MOTION MADE BY JOAN FARRELL MONAGHAN AND DULY SECONDED, VOTED TO GO INTO EXECUTIVE SESSION DUE TO ATTORNEY/CLIENT PRIVILEGES WITH RESPECT TO A MATTER IN WHICH, LITIGATION MAY BE ANTICIPATED.**

**APPEARANCE:**

**1. MEDICATION VARIANCES:**

M. Lown introduced and welcomed Maria Brennan, Associate Executive Director, and Maureen Bracher, Nurse Manager, Oncology from Meridian Health System Riverview Medical Center.

**NEW BUSINESS:**

**KATHLEEN MOBED - ENDORSEMENT CANDIDATE**

K. Mobed is currently licensed in Massachusetts and Florida practicing for over 16 years with a score of 1580. The standardized national score at the time of licensure was 1600.

**THE BOARD UPON A MOTION MADE BY NELSON TUAZON AND DULY SECONDED, VOTED FOR APPLICANT KATHLEEN MOBED TO TAKE THE NCLEX EXAMINATION.**

**ADJOURNMENT:**

On May 16, 2000 the Regular Open Board Meeting was adjourned at 2:50 p.m. The next Regular Open Business Meeting will be held on June 20, 2000.

Respectfully submitted,

Maris A. Lown  
President



<a href="#">Board of Nursing</a>	<a href="#">Medical and Mental Health Related Boards</a>	<a href="#">Feedback Survey</a>	<a href="#">Consumer Affairs Home Page</a>	<a href="#">NJ Dept. of Law and Public Safety Home Page</a>	<a href="#">State of NJ Home Page</a>
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*Modified March 2002*