

**NEW JERSEY STATE BOARD OF NURSING
MINUTES
REGULAR OPEN BOARD MEETING
JUNE 20, 2006**

A meeting of the New Jersey State Board of Nursing was held on June 20, 2006 in the Somerset Conference Room, 6th Floor, 124 Halsey Street, Newark, New Jersey. Nelson Tuazon, Board President, called the meeting to order at 9:30 a.m.

ROLL CALL

BOARD MEMBERS PRESENT:

Noreen D'Angelo Patricia Ann Murphy
Marietta Cahill Karen Rodriguez
Ronald H. Carr Sara Torres
Leo-Felix Jurado Nelson Tuazon
Irma Lupia Constance Wilson
Virginia McKenney

ALSO PRESENT:

George J. Hebert, Executive Director
Barbara Byers, Administrative Analyst
Carol Onajide, Education Program Development Specialist
Darlene Lapola, Deputy Attorney General
Kathryn Schwed, Deputy Attorney General (for limited purposes)
Charles Manning, Regulatory Analyst, (for limited purposes)
Michele Carroll, Manager, (for limited purpose)

BOARD MEMBER(S) EXCUSED ABSENCE:

Mary Sibley

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 21, 2005. A schedule of all 2006 Regular Open Board Meetings to be held during 2006 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 June 20, 2006: Reading and Approval After discussion the Board, upon a motion made by Noreen D'Angelo and duly seconded by Sara Torres, voted to approve the Regular Board Meeting Agenda of June 20, 2006. The motion carried.

MINUTES:

Open Regular Board Meeting Minutes of May 16, 2006 with amendments: Reading and Approval

Page 10 - #5b motion made regarding Pineland School of Practical Nursing, Nelson Tuazon, Board President and Leo-Felix Jurado, Board Members recused themselves from the proceedings.

Page 13 - #5 comments from Noreen D'Angelo, Board Members regarding Delegation of Medication Administration.

After discussion the Board, upon a motion made by Ronald H. Carr and duly seconded by Constance Wilson, voted to approve the Regular Board Meeting Minutes of May 16, 2006 as amended. The motion carried.

REPORT OF THE BOARD PRESIDENT – NELSON TUAZON:

The Alternative to Discipline Program will hold public conferences on the following days:

Friday, June 23, 2006 at 10:00 a.m., in the Morris Conference Room on the 6th Floor in Newark, NJ.

Monday, June 26, 2006 at 12:00 noon at the Justice Complex in Trenton, NJ.

Various organizations provided comments on the National Council of State Boards of Nursing Advanced Practice Nurse Vision Paper.

New Jersey State Nurses Association passed a resolution that would require that associate and diploma prepared nurses obtain the baccalaureate degree in nursing within ten years of completion of their entry level programs.

REPORT OF THE EXECUTIVE DIRECTOR – GEORGE HEBERT:

George Hebert reported that:

A brief summary of the monthly report regarding applications for the newly licensed nurses, inactive nurses and reinstated nurses. Renewal 2006 – Ninety-six point five percent (96.5) of all nurses renewing their licenses during the current renewal period have completed their renewal. Seventy-nine point ninety-eight percent (79.98%) nurses renewed their licenses online. George J. Hebert, Noreen D'Angelo and Sara Torres attended meeting regarding Nursing Delegation, that was held in Portland, OR which was sponsored by Rutgers University, Center for State Health Policy.

CORRESPONDENCE:

May 8, 2006, letter from Lynda Kopishke, MSN, RN, LNCC, President, American Association of Legal Nurse Consultants, regarding a Position Statement on the "Specialty Practice of Legal Nurse Consulting". May 26, 2006, e-mail from The National Nurse team regarding the National Nurse Newsletter – representatives have signed as co-sponsors to HR 4903 and provided statements regarding the National Nurse Act of 2006.

COMMITTEE REPORTS:

1. EDUCATION COMMITTEE: - Leo-Felix Jurado, Chairman

Leo-Felix Jurado reported: Session I of the May 23, 2006 Meeting Report

Correspondence:

April 26, 2006 – Letter from Felissa R. Lashley, RN, PhD, ACRN, FAAN, FACMG, Dean and Professor, Rutgers, The State University New Jersey Re: FYI, Notification that Rutgers plans to institute a Doctor of Nursing Practice (DNP) program in January 2007.

Seventeenth Annual International Nurse Educators Conference in the Rockies, July 19 – 22, 2006, Breckenridge, Colorado

Changes in how candidates receive NCLEX examination correspondence Re: FYI, If an email address is provided at the time of registration correspondence will be sent to the NCLEX applicant only by email. No hard copy

correspondence will be sent as of 4/23/06 if an email address is provided.

d. Oregon Consortium for Nursing Education, OCNE, an innovative nursing education network to promote high quality, compassionate health care. Re: FYI, OCNE is a partnership of nursing programs to expand enrollment and prepare graduates to care for the aging population in Oregon. OCNE has developed a shared competency-based curriculum leading to a BSN with an associate degree exit. Also, the consortium is involved with sharing of clinical facilities and development of clinical simulation to augment clinical.

Request for Proposals, Texas Board of Nurse Examiners (BNE), Innovative Professional Nursing Education Pilot Programs. Re: FYI, Because current healthcare is dynamic and ever changing the Texas BNE developed a mechanism for requests regarding creative ways to provide nursing education which includes a formal proposal. The format for the proposal and application form were included in the article.

f. Kentucky Board of Nursing Clinical Internship Re: FYI, The Kentucky Board of Nursing as of January 2006 requires a 120-hour clinical internship prior to full licensure in the state.

Bergen County Community College has appointed Dr. Carole Baxter to the position of Director, Nursing Program

Email from Martha Pollick, Cumberland County College asking if the Board has any opinion regarding 12-hour clinical days, which is being suggested by some of the clinical agencies because of the number of schools requesting use of the sites. The Board does not regulate how a nursing program's clinical hours are conducted. The Committee discussed concerns about 12-hour shifts, however this is a school decision.

Leo-Felix Jurado reported: Session II of the May 23, 2006 Meeting Report

Correspondence:

May 5, 2006 – Letter from Florence Brown, RN, MSN, APN, School Director, Best Care Training Institute Re: Proposal to introduce a weekend session of Best Care PN Program

After discussion the Board, upon a motion made by Leo-Felix Jurado and duly seconded by Constance Wilson, voted that Best Care may not open a new weekend program until the school has received (full) accreditation. The motion carried.

b. April 21, 2006 – Letter from Jill Loeb, MSN, RN, Chair, PN Program, Dover Business College Re: Request to offer a day and evening PN Program beginning 2006 – 2007 at the Paramus and Dover campuses

After discussion the Board, upon a motion made by Leo-Felix Jurado and duly seconded by Marietta Cahill, voted that Dover Business College may not admit additional students to the program [above thirty (30) at each campus], however, the school may admit evening students in lieu of day students. The motion carried.

1. Initial Accreditation Self Study Report Reviews

New Community Corporation (NCC)

The self-study submission from NCC requires revision and clarification.

Best Care Training Institute The self-study submission from Best Care Training Institute requires revision and clarification.

Union County College (UCC) The self-study submission from UCC requires revision and clarification.

The Center for Allied Health & Nursing Education The self-study submission requires revision and clarification.

2. New Schools

Prism Career Institute: An Onsite visit was conducted on June 6, 2006 by Dr. Torres, Member of the Education Committee and Carol Onajide, Education Program Development Specialist.

After discussion the Board, upon a motion made by Leo-Felix Jurado and duly seconded by Sara Torres, voted that based on the review of Part I and Part II of the application, the on-site visit, and a visit to a planned clinical agency, provisional accreditation is recommended for the Prism Career Institute's Practical Nursing program with the following directives:

Regulation Directive

N.J.A.C. 13:37-1.9 Submit pictures 4 weeks prior to starting the program of the completed nursing classroom as per blueprint nursing laboratory resource/library area with recent texts (List of books provided) faculty offices practical nursing secretary's office with locked fireproof cabinets for records Discussion regarding nursing program application concerns

The Committee discussed concerns regarding the many applications being submitted to begin practical nursing programs. Salient points included the concern regarding saturation of a geographical area by practical nursing programs, thereby having insufficient clinical sites. The discussion included having the programs provide needs analyses and/or clinical contracts. The Committee discussed ideas regarding school application reviews. Discussion included: How many times should an application be submitted or reviewed? Some have been reviewed up to seven (7) times. Secondly, should the Committee only review submissions after review and the Education Program Development Specialist provides direction?

After discussion the Committee decided that the Education Program Development Specialist will review Practical Nurse Program applications and request these schools to submit revisions as needed prior to meeting with the Education Committee.

Directive letter to Merit Technical Institute –Deferred to Session 3.

5. New RN Diploma programs:

HoHokus School of Business and Medical Sciences has submitted an application to open a LPN to RN Bridge Program under the sponsorship of Bergen Regional Medical Center. Dover Business College has also inquired regarding starting a RN Program.

After discussion the Board, upon a motion made by Noreen D'Angelo and duly seconded by Patricia Ann Murphy, voted that new RN diploma programs be discussed by the full Board. The motion carried.

After discussion the Board, upon a motion made by Noreen D'Angelo and duly seconded by Patricia Ann Murphy, voted that all new RN Diploma Program applications be evaluated under the current regulations. The motion carried.

After discussion the Board, upon a motion made by Noreen D'Angelo and duly seconded by Sara Torres, voted to have staff plan a Symposium for input from interested parties regarding the direction of nursing education in New Jersey and further review of the statutes and regulations by Mr. Charles Manning, Regulatory Analyst and Olga Bradford DAG. The motion carried.

The Board upon a motion made by Marietta Cahill and duly seconded Virginia McKenney, voted to approve Sessions I and II of the May 23, 2006 Education Committee Report. The motion carried.

2. PRACTICE COMMITTEE:

Patricia Ann Murphy Reported: The Committee met on June 13, 2006

1. Old Business

Appearance:

Marilyn Kent, School Health Services Specialist, New Jersey Department of Education, attended the Board's Practice Committee Meeting to inform the Committee about the regulations for Medication Administration by School Nurses. Mrs. Kent provided to the Committee feedback regarding the standards for medication administration, including diastat, in the public school settings. The Committee questioned whether diastat was administered to a child and monitored in the public school setting. To obtain additional information regarding nurses administering diastat, the Committee will refer to Marilyn Kent the letter received from Theresa Garvey concerning administration of diastat in the public school setting. The Committee will send a letter to Theresa Garvey requesting the name of the physician who ordered the diastat.

Mrs. Kent informed the Committee about the proposed regulations of the New Jersey Department of Education, 6A:16-2.3. Health Services Personnel, which delete the language requiring a full-time Certified School Nurse in public school settings. A public hearing will be held on the proposed regulations on June 21, 2006 in Trenton, NJ. Mrs. Kent also reviewed Assembly Bill 961 concerning Epipen requirements in school settings. Mrs. Kent agreed to include a reference to the Board of Nursing's Algorithm for Determining Scope of Practice and for Making Delegation Decisions in the revised School Health Services Guidelines for the New Jersey Department of Education.

After discussion the Board, upon a motion made by Patricia Ann Murphy and duly seconded by Karen Rodriguez, voted that the Board of Nursing Legislation Committee provide input for Board consideration regarding:

a. 6A:16-2.3., Health Services Personnel, pertaining to the language requirements for Certified School Nurses to provide nursing care for children in New Jersey schools, and

Assembly Bill 961 concerning Epipen requirements in school settings.

The Board also voted that input on a and b above be obtained from Andrea Aughenbaugh, Chief Operating Officer of the New Jersey State Nurses Association. The motion carried.

2. Advanced Practice Nurse:

The Committee reviewed the draft letter to request inclusion of Advanced Practice Nurses where appropriate when regulations are being drafted by other regulatory Boards.

After discussion the Board, upon a motion made by Patricia Ann Murphy and duly seconded by Leo-Felix Jurado, voted to approve a draft letter to request that Advanced Practice Nurses be included in proposed regulations of other Boards concerning primary care providers/licensed independent practitioners. The motion carried. 3.

Follow-up on letter from Kevin Korsgaard for supervision and practice of Medical Assistants:

For the next available Committee Meeting, the Committee will obtain a response from the Board of Medical Examiners. The Committee will also obtain from Mr. Kevin Korsgaard a copy of the Medical Assistant's job description for clarification about Medical Assistants dispensing medications.

4. Representation on Ad Hoc Committee for Propofol, New Jersey Board of Medical Examiners:

For the next available Committee Meeting, the Committee will obtain a response from the New Jersey Board of Medical Examiners regarding two (2) representatives from the Board of Nursing serving on the New Jersey Board of Medical Examiners Ad Hoc Committee for Propofol.

5. New Business:

2006 Planning and Work Flow Sheet for Practice Issues:

The Committee revised the 2006 Planning and Work Flow Sheet to include columns showing the agency or individual referring the practice issue to the Practice Committee, as well as, the organization to which the Practice Committee referred the issue for additional input and comments.

Correspondence:

Letter from Deanne R. Williams, CNM, MS, FACNM, Executive Director, American College of Nurse-Midwives dated March 20, 2006.

Issue: FYI, Publishing of a Draft APRN Vision Paper in March 2006 by the National Council of State Boards of Nursing.

Memorandum from Jane S. Wyatt, PhD, RN, CRNP, Executive Director, Pediatric Nursing Certification Board (PNCB), Inc. dated April 14, 2006, FYI: Annual Update and Information Sharing.

Letter from Nancy Chornick, PhD, RN CAE, Director of Practice and Credentialing, National Council of State Boards of Nursing, INC, NCSBN, dated May 16, 2005. Issue: FYI, Determining that the Acute Care Pediatric Nurse Practitioner Certification Program does meet the NCSBN's APRN certification program criteria.

Point of Clarification: A copy of the NCSBN Vision Paper on Advanced Practice Nurse Education in all 50 States, and comments from other organizations will be circulated to Committee Members for discussion at the December 12, 2006 Committee Meeting.

State Policy in Practice, Community Living Exchange, dated January 2006. FYI: Washington's Nurse Practice Polices for Home and Community Living by Dr. Susan C. Reinhard and Heather Young.

Memorandum from DAG Darlene Lapola to George J. Hebert, Executive Director, dated May 30, 2006. A Memorandum from Tobey Palan to DAG Dalene Lapola, dated May 18, 2006. Letter dated April 10, 2006. Issue: Whether LPNs can legally administer respiratory care medications.

Point of Clarification: When patients are under the care of a Registered Professional Nurse, it is within the scope of practice for Licensed Practical Nurses to administer respiratory medications, in accordance with N.J.A.C. 13: 37-6.2, Delegation of selected nursing tasks, and the Algorithm for Determining Scope of Practice and Making Delegation Decisions.

Memorandum from DAG Darlene Lapola to George J. Hebert, Executive Director, dated June 8, 2006. Issue: Role of the R.N. in Microdermabrasion, Hair Removal, and Permanent Make up.

Point of Clarification: The Board of Nursing does not have a position statement on RNs engaging in permanent make up which is regulated by the New Jersey Department of Health and Senior Services, nor does the Board have a position statement on RNs performing microdermabrasion, and laser or electric hair removal.

After discussion the Board, upon a motion made by Patricia Ann Murphy and duly seconded by Karen Rodriguez, voted that a written response be sent to Darlene Lapola, DAG, confirming that: when patients are under the care of a Registered Professional Nurse, it is within the scope of practice for Licensed Practical Nurses to administer respiratory medications, in accordance with N.J.A.C. 13: 37-6.2, Delegation of selected nursing tasks, and the Algorithm for Determining Scope of Practice and Making Delegation Decisions. The motion carried.

After discussion the Board, upon a motion made by Patricia Ann Murphy and duly seconded by Marietta Cahill, voted that the Board of Nursing does not have a position statement on RNs engaging in permanent make up which is regulated by the New Jersey Department of Health and Senior Services, nor does the Board have a position statement on RNs performing microdermabrasion, and laser or electric hair removal. The motion carried.

After discussion the Board, upon a motion made by Ronald H. Carr and duly seconded by Constance Wilson, voted to approve the Practice Committee Report of June 13, 2006. The motion carried.

2. REGULATION COMMITTEE:

Sara Torres Reported: The Committee met on May 23, 2006

OLD BUSINESS:

Alternative to Discipline:

On May 16, 2006, the Alternative to Discipline Committee held its first meeting, and discussed the Alternative to Discipline Monitoring Program Proposal.

Informal conference for input regarding implementation of the Alternative to Discipline statute and regulations will be held on June 23, 2006 at 10:00 a.m., 124 Halsey Street, Sixth Floor, Morris Room, Newark, N.J., and on June 26th at 12:00 p.m., Richard J. Hughes Justice Complex, 25 Market Street, Third Floor West Wing, Conference Room Four, Trenton, N.J. Board Members will be scheduled to attend and answer questions from the public. Nelson Tuazon, Board President, will preside and a court reporter will be available to prepare a transcript of the hearings. Charles Manning, Regulatory Analyst, will record the public comments.

Certified Homemaker-Home Health Aides:

The Committee reviewed proposed revisions in Subchapter 14, Certified Homemaker-Home Health Aide regulations. The Committee discussed the Identification Tag requirement for licensed nurses, and the importance of including the Identification Tag requirement in Subchapter 14. The Committee discussed N.J.A.C. 13:37-14.2, Definitions, including the definition of "Full-time equivalent experience" which means 1820 hours of work that a person has amassed when working part-time, in a consecutive five year period. The Committee also plans to refer the following to the Board of Nursing Education Committee for review and comments: N.J.A.C. 13: 37-14.5, 14.7, 14.8, 14.9 Homemaker-home health aide training, Application for homemaker-home health aide training program approval, Program coordinator responsibilities, and Program instructor qualifications and responsibilities.

Michele Carroll and Charles Manning will work on N.J.A.C. 13:37-14.10, Application for homemaker-home health aide certification. The proposed revisions in Subchapter 14 will be discussed further at the next available Committee Meeting.

After discussion the Board, upon a motion made by Constance Wilson and duly seconded by Noreen D'Angelo, voted to approve the Regulation Committee Report of May 23, 2006. The motion carried.

OPEN FORUM:

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

Carolyn Torre, Director of Practice, New Jersey State Nurses Association, commented on a resolution from NJSNA requiring associate and diploma prepared nurses to obtain the baccalaureate degree in nursing within ten years of completion of their entry level programs. Ms. Torre requested a copy of the draft APN Regulations. NJSNA sent comments regarding NCSBN's APN Vision Paper.

Linda DeLamar, President-Elect, NJANA, commented on the APN regulations.

The Board, upon a motion made by Ronald H. Carr and duly seconded by Leo-Felix Jurado, voted to go into closed session for the purpose of discussing complaints against nursing programs. The motion carried.

The Board, upon a motion made by Leo-Felix Jurado and duly seconded by Irma Lupia, voted to go into open session. The motion carried.

ADJOURNMENT:

On June 20, 2006, the Regular Open Business Meeting was adjourned at 12:45 p.m. The next Regular Open Business Meeting will be held on July 18, 2006.

After discussion the Board, upon a motion made by Constance Wilson and duly seconded by Marietta Cahill, voted to adjourn the regular Board meeting of June 20, 2006 at 12:45 p.m. The motion carried.

Respectfully Submitted,

Noreen D'Angelo
Board Secretary/Treasurer