

# Board of Nursing

September 11, 2001

## Regular Open Board Meeting

A meeting of the New Jersey State Board of Nursing was held on September 11, 2001 in the Somerset 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

Board Members: Noreen D'Angelo, Ronald H. Carr, Sylvia C. Edge, Margaret M. Kirchhoff, Denise Link, Leo-Felix Jurado, Maris A. Lown, Virginia McKenney, Karen Rodriguez, Muriel M. Shore, Eileen Helbig Toughill, and Nelson Tuazon.

### ALSO PRESENT

Patricia A. Polansky, Executive Director, New Jersey State Board of Nursing, Harriet Johnson, Assistant Executive Director, Susan Kelly, Paralegal Nurse Specialist, Joanne Cole, Director, Intervention Program, George Hebert, Deputy Executive Director, Barbara Byers, Administrative Analyst, Deputy Attorney(s) General: Gus Lembo, and Kathy Rohr.

### NOT PRESENT

Board Member: Richard C. Freda

### 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 2, 2001. A schedule of all 2001 Regular Open Board Meetings to be held during 2001 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.

Approval of the September 11, 2001 Regular Board Meeting Agenda.

**BOARD, UPON A MOTION MADE BY NELSON TUAZON, AND DULY SECONDED, VOTED FOR THE APPROVAL OF THE SEPTEMBER 11, 2001 REGULAR BOARD MEETING AGENDA.**

**THE MOTION CARRIED.**

Approval for Addendum to the September 11, 2001 Regular Board Meeting Agenda.

**THE BOARD, UPON A MOTION MADE BY NELSON TUAZON, AND DULY SECONDED, VOTED TO APPROVE THE ADDENDUM TO THE SEPTEMBER 11, 2001 REGULAR BOARD MEETING AGENDA.**

**THE MOTION CARRIED.**

A reading and approval of the minutes for the Regular Open Business Meeting of July 17, 2001.

**THE BOARD, UPON A MOTION MADE BY DENISE LINK, AND DULY SECONDED, VOTED FOR APPROVAL OF THE MINUTES OF THE REGULAR BOARD MEETING OF JULY 17, 2001.**

**THE MOTION CARRIED.**

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

M. Lown report. M. Lown, P. Polansky, and R. Carr attended the National Council@s 23rd Annual Meeting on August 7-11, 2001 in Pittsburgh, PA. M. Lown read aloud the President@s Annual Report - ( See Attached).

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

P. Polansky reported. Update: new licensing system at the Division of Consumer Affairs; training may begin as soon as October 1, 2001. Centralized Licensing has a new name and will be called "OIT" - Office of Information Technology. The Division will be consolidating and putting together the Consumer Service Center and the Consumer Protection Center, so that there will be one Calling Center for the licensed professions. It will be there to help licensees get the information needed regarding their application or licenses in a more efficient coordinated and timely manner.

- The Colleagues and Caring mailing went out.
- Email dated August 22, 2001 From Francine Widrich, re: Posting of the Patient Abandonment Statement on the website.
- E-mail dated September 3, 2001 from Geri Dickson, Colleagues In Caring.
- Update: Criminal Background Check Procedure, as of August 13, 2001 there were 17,234 warning letters sent to CHHA'S,
- Compliments were given to Susan Kelly for her recent work with the HHA Department - For August, 3,500 applications were in process, as of August 31, 2001, there were 19,240 CHHA'S cleared through the Criminal History Background Check Procedure. This is an increase of 1,805 CHHA'S from July, 2001. The next month will prove out the numbers for the response to the "warning" letter sent by Director Herr.
- Memo dated August 3, 2001 re: Board Orientation Schedule Revision.
- Board of Nursing Meeting Schedule "2002" Revised.
- Licensing: 1.) Late fee \$115. 2.) Reinstatement fee \$165. 3.) 649 People got a refund on late fees, due to problem in Centralized Licensing during computer conversion. 4.) 185 Walk ins in Trenton. 5.) Memo dated August 1-2, 2001 from Louise Horton, Supervisor of Licensing Unit Centralized Licensing, re: Daily processed licenses from Centralized Licensing.
- NCSBN - Annual Meeting August 6-10, 2001.
- NCSBN - Proposed Strategic Initiatives and Outcomes FY: 2002-2004
- NCSBN Annual Delegate Assembly; Resolution.
- Article: Hospitals face questions on Nurse Shortage.

- Report: Data Elements, (TerCap) Practice Breakdown Research Advisory Panel August, 2001.
- Current information regarding the Nursing Shortage in blue folder.
- E-mailed dated August 8, 2001 from Kristin Hellquist re: AACN fact sheet cites NCLEX figures.
- "Handouts/Pass arounds" - 1.) Special Report from the National Law Journal. 2.) NCSBN Elects and Re-elects seven New Board Members. 3.) Article on New Jersey Nurses. 4.) 2001-2002 NCSBN Board of Directors. 5.) Summary of Monies received by the Board of Nursing. 6.) Memo dated July 20, 2001 from August Lembo, re: Star Ledger Story on Denise Wegel. 7.) A pamphlet from the Institute for Nursing Fall 2001 Calendar.
- "Communication Packet" - 1.) Letter from Denise Link re: Resignation. 2.) California Lawmakers consider Mandatory Overtime Bill. 3.) Hospital face questions on Nurse Shortage. 4.) The Centers for Disease Control and Prevention. 5.) Survey: Health Care Workers feel stress, but also satisfaction. 6.) Report to Waxman cites abuse violations at Nursing Home. 7.) American Red Cross. 8.) Coverage of alternative care fractures NY Interest Groups. 9.) A new report finds that 65% of people on the web visited health-related sites, but only 1.2% of online sales were for prescription drugs. 10.) Newspaper article: Recruitment needed to ease Nurse Shortage, by Muriel M. Shore. 11.) Bush@s Education plan must define "Failing Schools". 12.) NCSBN - For Immediate Release. 13.) Delay Diagnosing Infantile Glaucoma costs Doc %7 million.
- "Information Salad" - 1.) Physician will manage State Health Department. 2.) Medical caution on driving doubted. 3.) Feature Story: The Olmstead Case, two years later. 4.) Leapfrog Teams with advisory group to develop hospital survey. 5.) President defends stem cell decision. 6.) HMO premiums expected to increase 15% next year. 7.) Jogging Shorts. 8.) Coming of Age. 9.) Web Watch.
- P. Polansky seeks approval for: 1.) Denise Link - October 19, 2001 - To speak at the Congress on Policy Yearly Health Care Policy Workshop in Trenton, NJ. 2.) Harriet Johnson - September 11-15, 2001 - To attend The 21st Clear 2001 Annual Conference - San Antonio, TX. 3.) Barbara Byers - September 12, 2001 - To attend the Programs on Nursing Delegation, Edison, NJ. 4.) Barbara Byers - September 13, 2001 - To attend the Second Annual Hildegard E. Peplau Memorial Lecture Douglass College Center - New Brunswick, NJ. 6.) Maris Lown - September 20, 2001 - To attend the NINR National Institute for Nursing in Washington at the request of NCSBN. 7.) Barbara Byers - September 24, 26, and October 1, 2001 - To attend the PASP Nurse Assessor Training Sessions to be held in Mercerville, Hammonton, and Flanders, NJ. 8.) Maris Lown - September 25, 2001 - To present on topic of delegation at Brick Hospital. 9.) Maris Lown - September 27, 2001- To present on delegation at Riverview Hospital. 10.) Barbara Byers - October 5, 2001 - To attend the Annual Research Day, Newark Beth Israel Medical Center, Newark, NJ. 11.) Patricia Polansky - October 12, 2001 - To attend The Philippine Nurses Association of New Jersey, Inc. Annual Dinner Dance at The Sheraton Parsippany Hotel, Parsippany, NJ. Representing the New Jersey Board of Nursing.
- 12.) Patricia Polansky - October 21-23, 2001 - To attend the National Association of State Units on Aging and co-present on Consumer Directed Care in Arlington, VA. 13.) Patricia Polansky - October 25, 2001 - To attend The HIPPA Summit in Washington, DC, at the request of the Deputy Director. 14.) Patricia Polansky - November 7, 2001 - To attend The New Leadership Challenge: Teaming Principle with Practices in a Time of Change, Hosted by Rutgers University@s Center for Management Development, Parsippany, NJ.

**THE BOARD, UPON A MOTION MADE BY DR. MURIEL M. SHORE AND DULY SECONDED, VOTED TO APPROVE THE APPEARANCES OF THE EXECUTIVE DIRECTOR, BOARD PRESIDENT AND STAFF.**

THE MOTION CARRIED.

Communication:

1. Letter dated July 16, 2001 from Jean Alan Bestafka, Executive Director of Home Health Services and Staffing Association of New Jersey.

2. Letter dated July 17, 2001 from Josephine Sienkiewicz, RN, MSN, Director of Education and Clinical Practice at the Home Health Assembly of New Jersey, Inc. Princeton Junction, NJ.

**THE BOARD, UPON A MOTION MADE BY NELSON TUAZON AND DULY SECONDED, VOTED TO APPROVE COMMUNICATIONS 1 AND 2 TO BE FORWARDED TO THE REGULATORY COMMITTEE FOR REVIEW.**

**THE MOTION CARRIED.**

## **COMMITTEE REPORTS:**

### **1. BUDGET & FINANCE COMMITTEE:**

No report.

### **2. EDUCATION COMMITTEE:**

No report.

### **3. LEGISLATIVE REVIEW PANEL:**

J. Cole reported. The Legislative Review Panel reviewed the following:

- **Senate Bill 1408** - Sponsor: Martin, Robert J. Introduced June 15, 200. This bill concerns the ability of professional licensing boards to protect the public. **Position - Support.** Comment(s): 1.) Allows Boards to act with more authority for public protection.
- **Senate Bill 1811** - Sponsor: Sinagra, Jack. Introduced June 21, 2001. This bill is a "Anesthesiologist Assistant Licensing Act." **Position - Monitor for more information.** Comment(s): 1.) Contact states where AA@s are in place require outcomes re: quality of care. 2.) Need more information re: curriculum. 3.) Request input@s from Anesthesiologist Assistant NJ and BME.
- **Senate Bill 575** - Sponsors: Codey, Richard J./Sinagra, Jack. Assembly Bill 2349. Introduced January 11, 2000. This bill is a "New Jersey Health Care Consumer Information Act;" appropriates \$300,000. **Position - Neutral.** Comment(s): 1.) Strongly support the benefit to public by giving them information to make sound decisions regarding their health care. 2.) Have concerns re: actual information. How updated is their future interpretation and will the dollar amount be sufficient to maintain.
- **Assembly Bill 2790** - Sponsors: Greenstein, Linda R./Guear, Gary L. Introduced October 5, 2001. This bill has a Supplemental appropriation of \$100,000 to DOH/SS for public information regarding health insurance consumers' right to appeal adverse decisions of the insurer. **Position - Support.** Comment(s): 1.) Benefits education for the public to understand their appeal rights.
- **Senate Bill 57** - Sponsors: Bucco, Anthony R./Cardinale, Gerald. Introduced January 11, 2000. This bill includes same sex marriage among marriages declared void; provides that New Jersey will not recognize marriages in other jurisdictions which are void in New Jersey. **Position - Not considered a Board of Nursing issue.**
- **Senate Bill 826** - Sponsors: Cardinale, Gerald/Bucco, Anthony R. Introduced January 31, 2000. This bill is a "New Jersey Health Maintenance Organizations Consumer Protection Act." **Position - Monitor for more information.** Comment(s): 1.) Need clarification on dates of effectiveness.

- **Assembly Bill 2169** - Sponsor(s): Chatzidakis, Larry/Asselta, Nicholas. Senate Bill 1033 Sponsor(s): Bark, Martha W./DiFrancesco, Donald T. Introduced March 2, 2000. This bill allows physicians and dentists to jointly negotiate with carriers over contractual terms and conditions. **Position - Return to Legislative Review for reconsideration.**
- **Assembly Bill 702** - Sponsor(s): Moran, Jeffrey W./Connors, Christopher J. Introduced January 11, 2000. This bill requires health care workers infected with HIV or hepatitis B virus to obtain informed consent from their patients before performing exposure-prone procedures. **Position - Oppose.** Comment(s): 1.) We already have standard precautions to cover these issues.
- **Assembly Bill 2339** - Sponsor(s): Holzapfel, James W. Senate Bill 484 - Sponsor(s): Ciesla, Andrew R. Introduced May 1, 2000. This bill requires current registry of certified homemaker-home health aides maintained by State Board of Nursing to include specific document findings of patient abuse by persons listed in the registry. **Position - Neutral.** Comment(s): 1.) Need to understand intent of registry. 2.) Concerns regarding due process by only reporting allegations that are not proven. 3.) Concerns regarding ultimate cost to Home Health Aides.
- **AR. 17** - Sponsor(s): Friscia, Arline M. Introduced January 11, 2000. This bill expresses support and recognition for work of home health aides and urges Governor and Commissioner of Human Services to refrain from cutting hourly rates for personal care assistant services through. **Position - Oppose.** Comment(s): 1.) Unnecessary.

**THE BOARD, UPON A MOTION MADE BY RONALD CARR AND DULY SECONDED, VOTED TO APPROVE THE RECOMMENDATIONS OF THE LEGISLATIVE REVIEW PANEL EXCLUDING ASSEMBLY BILL 2169.**

**THE MOTION CARRIED.**

**THE BOARD, UPON A MOTION MADE BY DENISE LINK AND DULY SECONDED, VOTED TO REJECT ASSEMBLY BILL 2169 AND RETURN TO THE LEGISLATIVE COMMITTEE FOR FURTHER STUDY AND RECOMMENDATIONS.**

**THE MOTION CARRIED.**

**4. NURSING PRACTICE COMMITTEE:**

No report.

**5. REGULATORY COMMITTEE:**

No report.

**OPEN FORUM:**

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

**UNFINISHED BUSINESS:**

No report.

**SCHOOL AND AGENCY SURVEYS:**

No report.

## **NEW BUSINESS:**

No report.

There is a posting of the minutes on our website:

[www.state.nj.us/lps/ca/home.htm](http://www.state.nj.us/lps/ca/home.htm)

## **ADJOURNMENT:**

On September 11, 2001 the Regular Open Business Board Meeting was adjourned at 11:00 a.m. The next Regular Open Business Meeting will be on October 16, 2001.

Respectfully Submitted,

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Dr. Muriel M. Shore  
Secretary/Treasurer



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*Modified March 2002*