

NEW JERSEY STATE BOARD OF NURSING

REGULAR OPEN BOARD MEETING

September 16, 2003

A meeting of the New Jersey State Board of Nursing was held on September 16, 2003 in the Hudson Conference Room, 6th Floor, 124 Halsey Street, Newark, New Jersey. Maris Lown, Board President, called the meeting to order at 9:30 a.m.

ROLL CALL

PRESENT

Board Members: Noreen D'Angelo, Leo-Felix Jurado, Virginia McKenney, Sylvia C. Edge, Maris Lown, Veronica McGreevey, Dr. Muriel M. Shore, Nelson Tuazon, Cecilia West, Margaret M. Kirchhoff, Karen Rodriguez and Ronald H. Carr.

ALSO PRESENT

George J. Hebert, Acting Executive Director, New Jersey Board of Nursing; Barbara Byers, Administrative Analyst, Charles Manning, Regulatory Analyst, Division of Consumer Affairs; Deputy Attorney(s) General: Darlene Lapola and Victoria Manning; Assistant Attorney General Sharon Joyce (for the limited purpose of discussing the CRNA Petition for Rulemaking).

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, 2003. A schedule of all 2003 Regular Open Board Meeting to be held during 2003 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 reading and approval of the September 16, 2003 Regular Board Meeting Agenda.

THE BOARD, UPON A MOTION MADE BY NELSON TUAZON AND DULY SECONDED BY LEO-FELIX JURADO, VOTED TO APPROVE THE REGULAR BOARD MEETING AGENDA OF SEPTEMBER 16, 2003. THE MOTION CARRIED.

A reading and approval of the minutes for the Regular Board Meeting of July 15, 2003.

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED BY SYLVIA C. EDGE, VOTED TO APPROVE THE MINUTES OF THE REGULAR BOARD MEETING OF JULY 15, 2003. THE MOTION CARRIED.

A reading and approval of the executive session minutes for the Regular Board Meeting of July 15, 2003.

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED BY SYLVIA C. EDGE, VOTED TO APPROVE THE EXECUTIVE SESSION MINUTES OF THE

REGULAR BOARD MEETING OF JULY 15, 2003. THE MOTION CARRIED.

A reading and approval of the minutes for the Regular Board Meeting of June 17, 2003.

THE BOARD, UPON A MOTION MADE BY RONALD CARR AND DULY SECONDED BY SYLVIA C. EDGE, VOTED TO APPROVE THE MINUTES OF THE REGULAR BOARD MEETING OF JUNE 17, 2003. THE MOTION CARRIED.

REPORT OF THE BOARD PRESIDENT - MARIS LOWN:

Maris Lown presented the President's Annual Report for the year 2002-2003 (attached).

REPORT OF THE ACTING EXECUTIVE DIRECTOR:

George Hebert reported:

Ms. Mary Wilson, Sr. Clerk Typist, was congratulated on 25 years of service as Receptionist for the New Jersey Board of Nursing.

Maris Lown and George Hebert attended the 2003 National Council of State Boards of Nursing Delegate Assembly in Alexandria, Virginia. The meeting was held from August 5-8, 2003. The House of Delegates discussed the following issues: (pg 15)

a. Nursing provides leadership to member boards and others who influence health care, to advance regulatory excellence for public protection.

Current statement was in place for six years and standard requires review every five years.

Authorize the Board of Directors to negotiate a proposed contract amendment with Pearson Vue to implement a time limit extension for NCLEX-RN examination supported by the data and the analysis of the Examination Committee. (from 5 hours to 6 hours). For re-examinees from 90 days decrease to 45 days. (pg 97)

Adopt the 2003 slate of candidates: (pg 22)

Myra Broadway, ED from Maine is the new Area IV Director

Appointment of George J. Hebert, MA, RN, APN, C by NCSBN to the PR&E Subcommittee on Delegation and Assistive Personnel. The term begins effective October 1, 2003 and ends in concert with the 2004 Annual Meeting.

Adopt the proposed changes to the NCLEX-RN Test Plan:

The Examination Committee reviewed and accepted the Report of Findings from the 2002 RN Practice Analysis: Linking the NCLEX-RN Examination to Practice (Smith & Crawford, 2003), as the basis for recommending changes in the NCLEX-RN Test Plan. Empirical evidence proved from job incumbents, the professional judgment of the Examination Committee, and feedback from the Member Boards of Nursing and other stakeholders support the recommendations regarding the NCLEX-RN Test Plan.

Leah Curtain was the keynote speaker who gave a great power point presentation about nursing shortage and the many variables associated with it.

Recognition Luncheon on Thursday, August 7, 2003: The New Jersey, North Carolina and New York Boards of Nursing were awarded plaques in celebration of their 100 years of Nursing Regulation. While NCSBN celebrated their 25 Years since they were established.

Black tie dinner on Friday, August 8, 2003, evening at the Arlington Cemetery, Women in Military Service for America Memorial.

August 12, 2003 George Hebert received a letter from Carol J. Kientz of the New Jersey Home Care Association, which identifies that hospice agencies were not included in the definition of home care service agencies. The issue is that agencies not included in the definition are not eligible to educate and employ HHA certificants

THE BOARD, UPON A MOTION MADE BY NOREEN D'ANGELO AND DULY SECONDED BY CECILIA WEST, VOTED TO REFER TO THE NURSING PRACTICE COMMITTEE THE ISSUE THAT HOSPICE PROGRAMS ARE NOT RECOGNIZED AS EMPLOYERS OF CHHHA. THE MOTION CARRIED.

Mandatory Overtime letter was submitted to the Board.

August 13, 2003 Rule Change on Extension Orders

Request from Dr. Anne Eckert, Audiology and Speech-language pathology Advisory Committee, to meet with the Board to discuss the role of School Nurses in audiologic screening.

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED BY NELSON TUAZON, VOTED FOR THE NURSING PRACTICE COMMITTEE TO MEET WITH DR. ANNE ECKERT TO DISCUSS THE ROLE OF SCHOOL NURSE RELATIVE TO AUDIOLOGICAL SCREENING. THE MOTION CARRIED. DR. MURIEL M. SHORE WAS NOT PRESENT.

Governor's Advisory Council continues to meet. Will have testimony presented October 23 and October 28, 2003 to discuss a variety of issues. The Council is expected to have a finished proposal by the end of March, 2004.

8. George Hebert seeks approval for:

Darlene Lapola, DAG - 11th Annual Attorney Certification Seminar in Professional Regulatory Law, Portland, Oregon October 23 - 26, 2003

Maris Lown - New Jersey School Nurses Association is asking President Lown to present at their November 11, 2003 Convention

Roosevelt Hospital is requesting Ms. Byers to present an in-service on the Nurse Practice Act on October 8, 2003 from 2PM - 3PM

THE BOARD, UPON A MOTION MADE BY SYLVIA C. EDGE AND DULY SECONDED BY NELSON TUAZON, VOTED TO APPROVE THE APPEARANCES OF THE DEPUTY ATTORNEY GENERAL, BOARD PRESIDENT AND STAFF. THE MOTION CARRIED.

COMMUNICATION:

NCSBN - News Release:

September 4, 2003 - Donna Dorsey to be inducted as American Academy of Nursing Fellow.

August 12, 2003 - Award Ceremony Honors Exceptional Nurse Regulations and 100 Years of Nursing Regulation.

APPEARANCES:

Carolyn Selick, Program Administrator, Personal Assistance Services Program, State of New Jersey, Department of Human Services, Division of Disability Services presented to the Board the third annual update regarding the

Personal Assistance Services Program approved by the Board in November, 2000. This Consumer Self-Directed Care Program is being implemented in (19) New Jersey counties providing personal assistance services to permanently, physically disabled individuals between 18 and 65 who are capable of self-direction and able to supervise a personal assistant.

COMMITTEE MINUTES:

BUDGET & FINANCE:

No report.

2. NURSING EDUCATION:

Leo-Felix Jurado reported.

The committee met on September 9, 2003 to discuss the following issues:

Best Care Training Institute Part II of development of a Practical Nurse Program

Informational: Best Care has not met the criteria for approval. They will need additional materials to be submitted. The required materials include:

Documents need to be resubmitted with all materials being in synchrony with one another.

The number of students that will be admitted during the first five years needs to be identified.

The number of faculty, with their work status, needs to be identified relative to the increasing number in student enrollment over the first five years.

The following needs to be reflected more clearly in the application N.J.A.C. 13:37-8(c), (d).

(c) The Nursing Curriculum shall be based on the philosophy, organizing framework, program objectives and program outcomes that the faculty have developed pursuant to N.J.A.C. 13:37-1.5.

(d) Faculty shall select clinical experiences for students that correlate with course objectives and/or competencies.

There needs to be a comprehensive description of student services that will be available to the students.

The manner in which course credits are granted needs to be stated clearly.

There needs to be a description of how the program is going to be implemented with a clear indication of how the implementation will differ between the day and evening divisions.

Clinical evaluation tools need to be provided which demonstrate progression.

microTECH Training Center CV's of microTECH'S NURSING FACULTY, (didactic and clinical)

Informational: Students alleged non-nursing faculty was teaching nursing courses. Curriculum Vitae for faculty were found to be consistent with N.J.A.C.13:37-1.10, Faculty qualifications.

Harrison Career Institute Grievance Procedure

Informational: Harrison Career Institute submitted the requested Grievance Procedure revisions.

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED BY NELSON TUAZON, VOTED TO APPROVE THE REVISED GRIEVANCE PROCEDURE AND

PERMIT THE SCHOOL TO BEGIN ITS PROGRAM. THE MOTION CARRIED.

Lena Lawrence

Informational: Ms. Lawrence graduated from Kingston Public Hospital General Nursing in Jamaica, WI, in October 1966. She passed her licensing examination in Jamaica and was licensed in May 1967. She completed a 12 month Nurse Midwifery Program at the Queen Mother's Hospital in Glasgow, Scotland in 1969 and was licensed to practice midwifery. In 1971 she migrated to New York State and was licensed by endorsement. She has worked in New York State as a nurse since that time. In 1980 she graduated from the New York Institute with a Bachelor of Science Degree and in 1996 she graduated from the College of Mount Saint Vincent with a Master of Science Degree in Nursing Administration. N.J.A.C. 13:37-4.3 Application requirements; graduates of foreign nursing programs requires foreign graduates to be certified by CGFNS. CGFNS is directing Ms. Lawrence to address the Board requesting the Board to consider waiving the CGFNS requirement in view of her U.S. academic degrees and the length of time she has been working as a Registered Nurse in New York State.

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED BY SYLVIA C. EDGE, VOTED TO APPROVE THAT MS. LAWRENCE NOT BE REQUIRED TO BE CERTIFIED BY CGFNS IN VIEW OF HER ACADEMIC DEGREES SECURED IN THE U.S. AND HER OVER 30 YEARS OF WORK AS A REGISTERED NURSE IN THE STATE OF NEW YORK. THE BOARD APPROVED THAT MS. LAWRENCE BE REQUIRED TO TAKE THE NCLEX-RN ONLY. THE MOTION CARRIED.

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED BY DR. MURIEL M. SHORE, VOTED TO DEFER THE MATTER OF THE NEW DEPARTMENT OF HOMELAND SECURITY REGULATIONS REGARDING THE RULES PUBLISHED IN THE JULY 25, 2003 FEDERAL REGISTER AND EFFECTIVE SEPTEMBER 23, 2004, REQUIRING NURSES TO OBTAIN A CERTIFICATE FROM AN APPROVED CREDENTIALING ORGANIZATION BEFORE THEY CAN ENTER THE U.S. BE REVIEWED IN RELATION TO THE BOARD OF NURSING'S CURRENT REGULATIONS. THIS REVIEW IS TO BE CONDUCTED BY THE REGULATORY ANALYST. THE MOTION CARRIED.

Margaret Campbell-Lupardo

Informational; Ms. Campbell-Lupardo is asking to be considered for certification as an Advanced Practice Nurse. Ms. Campbell-Lupardo received a Master of Science in Nurse Midwifery from Columbia University, NY on October 17, 2001.

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED BY CECILIA WEST, VOTED TO DENY MS. CAMPBELL-LUPARDO'S REQUEST, HER CREDENTIALS DO NOT MEET N.J.A.C. 13:37-7.11, CATEGORIES OF ADVANCED PRACTICE. THE MOTION CARRIED.

Mary Eileen Lynch

Informational: Ms. Mary Ellen Lynch-Hancock is asking to be considered for certification as an Advanced Practice Nurse. Ms. Lynch-Hancock completed a course of study at UMDNJ in Midwifery. She was certified by ACNM effective September 13, 1986 as a Certified Nurse-Midwife.

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED BY CECILIA WEST, VOTED TO DENY MS. LYNCH'S REQUEST, HER CREDENTIALS DO NOT MEET N.J.A.C. 13:37-7.11, CATEGORIES OF ADVANCED PRACTICE. THE MOTION CARRIED.

microTECH Training Center Proposal for a Professional Nursing Diploma Program

Informational: microTECH Training Center presented Part I of the two-part application for the establishment of a

Diploma School of Professional Nursing.

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED BY CECILIA WEST, VOTED TO DENY THIS REQUEST. THE PROPOSED PROGRAM DOES NOT MEET THE ELIGIBILITY CRITERIA STATED IN N.J.A.C. 13:37-1.1, C, 5. DIPLOMA PROGRAMS. FOR PURPOSES OF THIS SUBCHAPTER, A DIPLOMA PROGRAM MEANS A PROGRAM CONDUCTED BY A NURSING SCHOOL UNDER THE SPONSORSHIP OF A HOSPITAL OR CONSORTIUM OF HOSPITALS IN THE STATE OF NEW JERSEY, THAT LEADS TO A DIPLOMA IN NURSING OR, IN A COLLABORATION WITH A COLLEGE OR UNIVERSITY, GRANTS AN ASSOCIATE IN APPLIED SCIENCE DEGREE OR ASSOCIATE IN SCIENCE DEGREE. THE MOTION CARRIED.

Riken's Health and Professional School, Proposal for development of an LPN Program

Riken's Health and Professional School are seeking approval by the New Jersey State Department of Education to offer educational programs.

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED BY SYLVIA C. EDGE, VOTED TO TABLE REVIEW OF THIS PROGRAM UNTIL THE SCHOOL CAN PROVIDE EVIDENCE THAT THE NEW JERSEY DEPARTMENT OF EDUCATION HAS APPROVED ITS OFFERING OF EDUCATIONAL PROGRAMS. THE MOTION CARRIED.

UMDNJ School of Nursing Proposal for a Second Degree BSN Program

Informational: UMDNJ School of Nursing is proposing to offer a Second Degree BSN Program to individuals who already possess another academic degree. The Committee is requesting information briefly discussing the difference between the current BSN and the proposed Second Degree BSN curricula.

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED BY SYLVIA C. EDGE, VOTED TO WITHDRAW THE RECOMMENDATION FROM THE MINUTES. THE MOTION CARRIED.

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED BY NELSON TUAZON, VOTED TO TABLE THE PROPOSAL OF UMDNJ UNTIL FURTHER INFORMATION IS RECEIVED BY THE EDUCATION COMMITTEE. THE MOTION CARRIED.

School Accreditation Review Request

Informational; Nursing programs that are scheduled for program review have been notified. They have been given an option for onsite or a self study, credentialing agency report review. Office staff will be contacting the schools to inform them that for the self study reviews, 10 copies of the materials will need to be provided. The Board will be generating the appropriate bills for the two different types of reviews.

Women's Bureau, Region II US Department of Labor Requesting Assistance in encouraging and/or selecting mentors to participate in GEM-nursing

Informational: The Board is encouraged to share this information with the nursing community to encourage development of this mentor program.

Bloomfield College notification of a minor change in curriculum

Informational: Bloomfield College notified the Board of a change in course units for NUR 336 - Nursing Interventions from .75 course units to 1.5 course units. Board staff will acknowledge receipt of this information.

Correspondence

August 8, 2003 - Alice Gloor, Med, RN Director of Nursing, Salem Community College, re: Change in scheduling of present curriculum.

June 30, 2003 - Sara Torres, PhD, RN, FAAN, Dean and Professor, UMDNJSON, re: Discontinuation of RN to BSN Program with NJIT in Mt. Laurel, NJ. NJIT is closing their program in Mt. Laurel. UMDNJ will be offering the same program with Rowan University. The nursing curriculum will remain the same. The only changes that will occur with the new partnership is that the total number of credits required to complete the BSN degree will be reduced from 129 to 120 credits and the general education requirement for a calculus course will be eliminated. **THE BOARD, UPON A MOTION BY LEO-FELIX JURADO AND DULY SECONDED BY SYLVIA C. EDGE, VOTED TO APPROVE THE DISCONTINUATION OF THE RN TO BSN PROGRAM WITH NJIT AND UMDNJ WILL BE OFFERING THE SAME PROGRAM WITH ROWAN UNIVERSITY. CREDITS WILL BE REDUCED FROM 129 TO 120. THE MOTION CARRIED.**

July 8, 2003 New Release, Commission on Graduates of Foreign Nursing Schools (CGFNS), re: CGFNS Marks Success of Credentials Verification Service.

d. July 17, 2003 - New Release, Commission on Graduates of Foreign Nursing Schools International Commission on Healthcare Professions (CGFNS), re: CGFNS Announces Gloria R. Smith as the Recipient of the 2003 CGFNS International Distinguished Leadership Award.

e. June 26, 2003 - Ellen Ehrlich, EdD, RN, Chairperson and Associate Professor, Nursing Department, College of Saint Elizabeth, re: New Chairperson of the Nursing Department at the College of Saint Elizabeth, Morristown, NJ.

f. July 28, 2003 - Susan E. Abbe, PhD, RN, Director of Accreditation Services, National League for Nursing Accrediting Commission, Inc, (NLNAC), re: July 16-18, 2003 Actions taken by the NLNAC.

July 29, 2003 - Janet R. Harris, Colonel, U.S. Army, Chief, Department of Nursing, Department of the Army, US Army Medical Department Center and School, re: Change in Practical Nurse ASI Sustainment Course 91WM6 and the resident Practical Nurse course 300-M6.

h. July 29, 2003 - Thomas M. Eastwick, President, HoHoKus School of Business and Medical Sciences, re: Minor changes within HoHoKus School PN Programming beginning August 4, 2003, PN student will be attending clinicals at Valley Hospital in Medical Surgical, Pediatric and Maternal/Child Health Nursing.

THE BOARD, UPON A MOTION MADE BY CECILIA WEST AND DULY SECONDED BY NELSON TUAZON, VOTED TO APPROVE THE MINUTES OF THE EDUCATION COMMITTEE. THE MOTION CARRIED.

LEGISLATIVE REVIEW PANEL:

Ronald Carr reported.

The Committee met on September 16, 2003 to discuss the following bills:

Assembly Bill 394 - The Committee was asked to review this bill by the Office of the Attorney General. This bill is known as the "Nurse Retention Striking Program Act." It appropriates \$1 million. The following were the issues supporting the Board's stance on the bill:

The bill should define the employer more narrowly to include direct patient care services, i.e., acute care and long term care facilities.

A group of approximately 200 people would be eligible to benefit from the bill if it is based on \$1 million. If this is disbursed over a 4 year period, that would mean 50 people per year would be eligible to benefit. There was a question about the rationale for the 3.0 GPA for eligibility.

There was a question regarding the need for this bill. What are the statistics?

How many new graduates are leaving within 1 year of employment , or not taking up employment in New Jersey?

Of the programs that are approved to participate, the bill should reflect programs approved by the Board.

LPNs and APNs are excluded from the bill. It is limited to RNs only.

Money could be focused on increasing LPN numbers in attending RN transition programs with a focus on spending money to defray their expenses to support educational mobility.

The Board will need to be aware that the Governor's Advisory Council is looking at the bigger issue of the nursing shortage. The Committee looks forward to the recommendations that this group may have.

THE BOARD, UPON A MOTION MADE BY RONALD CARR AND DULY SECONDED BY VIRGINIA MCKENNEY, VOTED NOT TO SUPPORT ASSEMBLY BILL 394. THE MOTION CARRIED. NELSON TUAZON ABSTAINED.

THE BOARD, UPON A MOTION MADE BY VIRGINIA MCKENNEY AND DULY SECONDED BY VERONICA MCGREEVEY, VOTED TO APPROVE THE REPORT OF THE LEGISLATIVE REVIEW PANEL. THE MOTION CARRIED.

4. NURSING PRACTICE:

Nelson Tuazon reported.

The committee met on July 15, 2003 to discuss the following issues:

Planning Flow Sheet:

The Committee Planning Flow Sheet was not altered.

Issue: Review of Medication Aide Training Curriculum, New Jersey Department of Corrections

Informational: Appearance

Marge Amodei, R.N., M.S.N., Clinical Programs Regional Administrator of Correctional Medical Services, and Thomas Farrell, Supervisor of Health Services, New Jersey Department of Corrections, reviewed the Medication Aide Training Curriculum for medication administration to inmates in fourteen (14) New Jersey correctional facilities. Unlicensed Assistive Personnel to complete the medication administration course will include Emergency Medical Technicians, Certified Nursing Assistants and Certified Medication Aides. To demonstrate competency, the UAP's will be required to complete five (5) cycles of medication administration to the inmates. The number of medications UAP's will administer during the course was not designated. The UAP's will be taught insulin injections, and will administer medications from unit dose packages. Medication administration documentation will be completed by the UAP's and monitored by Registered Nurses. One (1) Registered Nurse is available on each shift in each of the fourteen (14) facilities. Twelve (12) of the facilities have infirmaries; however, the UAP's will not administer medications in the infirmaries.

THE BOARD, UPON A MOTION MADE BY NELSON TUAZON AND DULY SECONDED BY CECILIA WEST, VOTED TO APPROVE BASED ON COMPLIANCE WITH N.J.A.C. 13:37-6.2, DELEGATION OF SELECTED

NURSING TASKS. THE BOARD SUPPORTS THE CORRECTONAL MEDICAL SERVICES MEDICATION AIDE TRAINING CURRICULUM FOR MEDICATION ADMINISTRATION TO INMATES IN THE NEW JERSEY DEPARTMENT OF CORRECTIONS WITH THE FOLLOWING

CONDITIONS:

Medication Aides administer medications to inmates in the general ambulatory population, excluding medication administration in the infirmaries and the restricted areas of the facilities.

Registered Nurses supervise inmates who administer their own medications in the "Keep on Person" Medication Administration Program.

At least annually, update Medication Aides through a medication administration continuing education program.

Medication Aides maintain their certifications as Emergency Medical Technicians, Certified Nurse Aides, and Certified Medications Aides in order to administer medications to inmates.

Advanced Practice Nurses and D.O.'s be included in the list of health professionals, R.N.'s, L.P.N.'s, R.Ph.'s, and M.D.'s, who may witness disposal or waste of controlled substances performed and documented by a Statewide Pharmacy Director.

THE MOTION CARRIED. DR. MURIEL M. SHORE WAS NOT PRESENT.

Request for School Nurses Performing Advanced Audiological Screening

Informational: Correspondence

The Committee reviewed a letter from Anne M. Eckert, Doctor of Audiology, Audiology and Speech-Language Pathology Advisory Committee dated March 13, 2003. Dr. Eckert requested clarification of the motion made at the Board of Nursing Meeting on July 16, 2002:

"The Board upon motion made by Cecilia West and duly seconded, voted to move that the Registered Professional Nurses may perform advanced audiological screening providing they are competent to perform the screening test and have properly functioning equipment to perform the test." Dr. Eckert questioned:

How the Board defined "advanced audiological screening"?

How one determines the nurse's competency? What are the elements that constitute competency? Who determines competency measures?

What is the definition of "properly functioning equipment to perform the test"?

THE BOARD, UPON A MOTION MADE BY NELSON TUAZON AND DULY SECONDED BY NOREEN D'ANGELO, VOTED TO SEND A LETTER TO DR. ANNE M. ECKERT THANKING HER FOR HER LETTER, AND CLARIFYING THAT THE NEW JERSEY DEPARTMENT OF EDUCATION, OFFICE OF EDUCATIONAL SERVICES, SCHOOL HEALTH GUIDELINES SET FORTH THE CRITERIA WHICH THE BOARD RECOGNIZES FOR SCHOOL NURSES TO PERFORM ADVANCED AUDIOLOGICAL SCREENING. THE SCHOOL HEALTH GUIDELINES ALSO SET FORTH THE ROLE OF THE SCHOOL NURSE IN AUDITORY SCREENING AND THE CRITERIA FOR EQUIPMENT, WHICH SCHOOL NURSES, MUST USE FOR AUDIOMETRIC SCREENING. THE MOTION CARRIED.

THE BOARD, UPON A MOTION MADE BY NELSON TUAZON AND DULY SECONDED BY KAREN RODRIGUEZ, VOTED TO APPROVE THE NURSING PRACTICE COMMITTEE MEETING MINUTES JULY 15, 2003. THE MOTION CARRIED.

REGULATORY REVIEW COMMITTEE:

CRNA -Petition for Rulemaking - Sharon Joyce, Assistant Attorney General, reported.

The Committee has been discussing and working diligently on the petition. A preliminary report was reviewed, with a recommendation made to grant in concept the request of the petitioner to recognize CRNA's as APN's in New Jersey. The petition has been referred to the Regulatory Committee to draft a rule proposal which was completed at the September 9, 2003 Committee meeting. Information regarding the CRNA's petition for rulemaking will be mailed to all board members for further review, and will be discussed at the next available Disciplinary Board Meeting on October 3, 2003.

Dr. Shore reported.

The Committee met on September 9, 2003 to discuss the following issues:

Committee Regulations Flow Sheet:

The Committee Regulations Flow Sheet was reviewed. Dr. Muriel Shore and the Committee Members discussed Delegation of the Administration of Medications. The Committee requested legal advice from Deputy Attorney General Darlene Lapola concerning the Committee's proposed regulations. DAG Lapola will report back at the next available Regulatory Committee Meeting.

Appearance: Sexual Assault Nurse Examiner Program Regulation Adoption

Linda Rinaldi, Deputy Attorney General, New Jersey Division of Criminal Justice, participated in the Committee's formulation of responses to public comments for the proposed regulations pertaining to Sexual Assault Nurse Examiner.

Review of Public Comments to Proposed Regulations: Sexual Assault Nurse Examiner, New Rules N.J.A.C. 13:37-9 et seq., Proposed Amendment N.J.A.C. 13:37-5.5, Proposed Repeal N.J.A.C. 13:37-2.4

The Committee welcomed Deputy Attorney General Linda Rinaldi, New Jersey Division of Criminal Justice. The Committee completed its review of the public comments and formulated responses to proposed rules N.J.A.C. 13:37-9 et seq. and will present its recommendations to the Board of Nursing at the October 21, 2003 Regular Meeting.

Review of Public Comments to Proposed Regulations: Sexual Misconduct, Proposed New Rule N.J.A.C. 13:37-8.3

Pursuant to its rulemaking powers found in N.J.S.A. 45:11-24, the Board of Nursing proposed new rule N.J.A.C. 13:37-8.3 to codify standards for its licensees prohibiting sexual contact with, or sexual harassment of, clients and patients. The Committee reviewed the public comments and formulated responses to proposed rule N.J.A.C. 13:37-8.3 and will present to the Board of Nursing its recommendations at the next available Regular Meeting.

Advanced Practice Nursing:

Informational: CRNA/APN Rule Petition and Proposed Regulations, Subchapters 6, 7 & 13

The Committee reviewed the proposed revisions for Subchapters 6, 7 and 13 wherein CRNA's in New Jersey may be recognized as Advanced Practice Nurses. The Committee will present the draft proposal to the Board of Nursing at the next available Regular Meeting.

Correspondence:

Informational:

a. FYI, e-mail regarding foreign trained professionals: This matter will be reviewed at the next available Regulatory Committee Meeting.

b. New Jersey Department of Health and Senior Services Proposed Mandatory Overtime Rules, N.J.A.C.8:43E

The Committee discussed the proposed regulations and recommends that the Board forward to the New Jersey Department of Health and Senior Services a letter supporting the proposed regulations.

THE BOARD, UPON A MOTION MADE BY VERONICA MCGREEVEY AND DULY SECONDED BY DR. MURIEL M. SHORE, VOTED TO DEFER ACTION ON THE REGULATIONS FROM THE DEPARTMENT OF HEALTH AND SENIOR SERVICES ON THE PROPOSED MANDATORY OVERTIME ISSUE. THE MOTION CARRIED.

THE BOARD, UPON A MOTION MADE BY RONALD CARR AND DULY SECONDED BY CECILIA WEST, VOTED TO APPROVE THE REPORT OF THE REGULATORY COMMITTEE. THE MOTION CARRIED.

Charles Manning discussed with the Board the following issues:

A summary of public comments and proposed agency responses for the Sexual Misconduct Rule.

THE BOARD, UPON A MOTION MADE BY CECILIA WEST AND DULY SECONDED BY LEO-FELIX JURADO, VOTED TO APPROVE THE RESPONSES OF THE SEXUAL MISCONDUCT NEW RULE. THE MOTION CARRIED.

Sexual Misconduct - Adopted New Rule: N.J.A.C. 13:37-8.3

THE BOARD, UPON A MOTION MADE BY CECILIA WEST AND DULY SECONDED BY LEO-FELIX JURADO, VOTED TO APPROVE THE ADOPTED REGULATIONS OF THE SEXUAL MISCONDUCT NEW RULE N.J.A.C. 13:37-8.3. THE MOTION CARRIED.

OPEN FORUM:

Maris Lown asked the public to share with the Board of Nursing any concerns, issues or questions. Individuals who spoke on the CRNA Petition for rulemaking were:

Alma L. Saravia, Attorney for the New Jersey Association of Nurse Anesthetists Carolyn Torre, Director of Practice of the New Jersey State Nurses Association

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED BY SYLVIA C. EDGE, VOTED TO GO INTO EXECUTIVE SESSION TO DISCUSS THE MATTER OF SOUTHERN NEW JERSEY TECH. THE MOTION CARRIED.

ADJOURNMENT:

On September 16, 2003, the Regular Open Business Board Meeting was adjourned at 2:10 p.m. The next Regular Open Business Meeting will be held on October 21, 2003.

THE BOARD, UPON A MOTION MADE BY NELSON TUAZON AND DULY SECONDED BY DR. MURIEL M. SHORE, VOTED TO ADJOURN THE REGULAR BOARD MEETING OF SEPTEMBER 16, 2003. THE MOTION CARRIED.

Respectfully Submitted,

Muriel M. Shore, Ed.D., R.N., C.N.A.A.
Secretary/Treasurer

