

**NEW JERSEY STATE BOARD OF NURSING  
MINUTES  
OPEN BUSINESS MEETING  
SEPTEMBER 18, 2007**

A meeting of the New Jersey State Board of Nursing was held on September 18, 2007 in the Morris Conference Room, 6th Floor, 124 Halsey Street, Newark, New Jersey. Leo-Felix Jurado, Board President, called the meeting to order at 9:40 a.m.

**ROLL CALL**

**BOARD MEMBERS PRESENT:**

Noreen D'Angelo Virginia McKenney  
Marietta Cahill Patricia Ann Murphy  
Avery Hart Karen Rodriguez  
Leo-Felix Jurado Sara Torres  
Irma Bojazi

**ALSO PRESENT:**

George J. Hebert, Executive Director  
Carol Dunning, Education Program Development Specialist II  
Margaret Howard, Field Representative  
Darlene Lapola, Deputy Attorney General  
Susan Carboni, Deputy Attorney General  
Charles Manning, Regulatory Analyst (limited purpose)

**BOARD MEMBER(S) EXCUSED ABSENCE:**

Shivani Nath  
Mary Sibley  
Constance Wilson

**A QUORUM WAS DECLARED PRESENT**

In accordance with Chapter 231 of P.L. 1975, more commonly referred to as the Sunshine Law, adequate notice of this meeting was provided by mailing on November 27, 2006. A schedule of all 2007 Regular Open Board Meetings to be held during 2007 was provided to the Office of the Secretary of State, Star Ledger, Trenton Times, The New York Times, Camden Courier Post and The Philadelphia Inquirer. The schedule has also been posted on the Bulletin Board at the New Jersey State Board of Nursing Office.

**AGENDA:**

Open Regular Board Meeting Agenda of September 18, 2007: Reading and Approval with amendments:

Will discuss new business after the approval of the minutes.

After discussion the Board, upon a motion made by Noreen D'Angelo and duly seconded by Patricia Murphy, voted to approve the Regular Open Board Meeting Agenda of September 18, 2007 as amended. The motion carried.

**MINUTES:**

Open Business Meeting Minutes of July 6, 2007: Reading and Approval with amendments:

Page 2 – fourth item under the president’s report, should state: The ANA revealed that RN’s perception while working in facilities that are either awarded magnet status or the Beacon award, reports higher satisfaction level of healthcare work environment, better communication and collaboration among RNs, and more respect for nurses who work in those facilities.

After discussion the Board, upon a motion made by Sara Torres and duly seconded by Noreen D’Angelo, voted to approve the Regular Open Board Meeting Minutes of July 6, 2007 as amended. The motion carried.

### **REPORT OF THE BOARD PRESIDENT – LEO-FELIX JURADO:**

Leo-Felix Jurado reported that:

President Jurado and George J. Hebert attended the NCSBN Annual Meeting from August 7-10, 2007, in Chicago, IL. The Division of Consumer Affairs gave approval for attendance the Friday before the meeting. It was imperative that the Board of Nursing was represented at this meeting, in order to participate in the decision making that effect the New Jersey Board of Nursing.

Significant actions approved by the member boards of nursing at the Annual Meeting were as follows:

Election of new directors for the board of directors

Adoption of the 2008 NCLEX Practical Nurse Test Plan for license practical vocational nurses.

Adoption of new strategic initiatives for the years 2008-2010.

Adoption of guiding principles of nursing regulations, which can be reviewed on the NCSBN website.

Revisions of the NCSBN By Laws to enhance organizational culture.

Approval of the statement regarding regulatory education of pain management.

Renewal of the NCLEX examination contract with Pearson Vue.

NCSBN Updates:

There was a discussion of the slow but steady increase in the states which are licensing anesthesia assistants.

Louisiana Board of Registered Nursing (LSBN) is presently in litigation regarding CRNAs performing nerve block studies and pain management procedures.

The NCSBN moved to allow Pearson Vue to engage in a feasibility study with the Canadian Nurses Association relative to the administration of their nurse licensure examination by computer. It is of interest for all of the different Boards of Nursing in the United States, because this would ensure that the examination process is secure.

ANA SmartBrief:

A study: Life expectancy in the United States (US) continues to rise. The U.S. life expectancy rate is at an all-time high, with people born in 2005 estimated to live 77.9 years, according to a new federal study. Researches attribute the increase to declining death rates from cancer, stroke and heart disease. Self-service kiosks allow quicker process in ERs: Self-service computer kiosks in hospital emergency rooms can save time by allowing patients to input their symptoms directly, instead of waiting in long lines to be served by a nurse or a doctor. The systems also help medical practitioners quickly identify which cases need urgent treatment. Lung cancer guidelines released; screening not advised: The American College of Chest Physicians released 260 recommendations for the prevention, diagnosis and treatment of lung cancer. The report says screening for lung cancer with CT imaging or sputum tests does not reduce the number of deaths and could patients at risk for other complications.

Seeking approvals:

President Jurado was asked to submit a greeting at the Philippine Nurses Association of New Jersey during their Clinical Excellence, and Scholarship Awards Night on September 21, 2007. President Jurado was asked to speak at the Philippine Nurses Association of America Conference in Cherry Hill, NJ on October 12-13, 2007 regarding the removal of the CGFNS Examination requirement prior to licensure in New Jersey.

After discussion the Board, upon a motion made by Noreen D'Angelo and duly seconded by Sara Torres, voted to approve the appearances of the Board President. The motion carried.

**REPORT OF THE EXECUTIVE DIRECTOR – GEORGE J. HEBERT:**

George J. Hebert as follows:

Monthly statistics reports for August 2007 were distributed at the meeting:

License Type	Active	Inactive
Advanced Practice Nurse	3,820	676
Forensic Nurse – CSA	254	9
Homemaker – HHA	38,694	1,156
Licensed Practical Nurse	21,237	1,561
Massage Therapists	944	4
Registered Prof. Nurse	108,535	9,879

2007 CHHA renewal – notices went out requiring the CHHA to provide documentation confirmation that they are employed. Certificants will be encouraged to renew online. Paper renewals will be mailed out upon request, by calling the IVR number.

George J. Hebert attended a meeting, August 20-21, 2007 at The Robert Wood Johnson Foundation to address the nursing faculty shortage. There were various organizations that attended the meeting as well.

Recovery and Monitoring Program Memorandum of Understanding – the agreement has been signed and the Division of Consumer Affairs has implemented the program.

**Seeking approval:**

a) George J. Hebert and Leo-Felix Jurado to attend a meeting at the Robert Wood Foundation on October 20-21, 2007.

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

**NEW BUSINESS:**

Charles Manning discussed the Massage, Bodywork and Somatic Therapy Regulations revisions:

N.J.A.C. 13:37-13.3, Certification without education or examination – to be deleted from the regulations.

N.J.A.C. 13:37-16.4 (d), Application for certification – to be revised.

N.J.A.C. 13:37-16.11 (e) 2 and (h), Continuing education, programs, standard. After discussion, the Board upon a motion made by Noreen D'Angelo and duly seconded by Patricia Murphy, voted to approve the revisions to N.J.A.C. 13:37-13.3, 16.4 (d), 16.11 (e) and (h). The motion carried.

## **CORRESPONDENCE:**

Article from Modern Healthcare – “What works: Healing the healthcare staffing shortage”. Board of Medical Examiners Agenda and Minutes from May 9, 2007 to August 8, 2007. July 2, 2007 – letter from Donna Massey, RN, MSN, Education Officer, Emergency Nurses Association regarding continuing education. July 2, 2007 – letter from Phyllis Shanley Hansell, EdD, RN, FAAN, Dean and Professor, Seton Hall University, School of Nursing, regarding the New Jersey Board of Nursing’s recent approvals of three new pre-licensure Baccalaureate Nursing Programs. This letter was referred to the Education Committee for review and discussion. July 3, 2007 – letter from Carrie D. Bright, IOM, CAE, Executive Director, American Midwifery Certification Board regarding the responsibilities of the organization. August 9, 2007 – information from National Council of State Boards of Nursing regarding Medication Assistant-Certified (MA-C) Model Curriculum. August 13, 2007 – letter from Janet Woodcock, MD, Deputy Commissioner and Chief Medical Officer, Department of Health & Human Services regarding a new tool incorporated by the U.S. Food and Drug Administration for accessing important safety information on medical products.

## **COMMITTEE REPORTS:**

### 1. EDUCATION COMMITTEE: - Sara Torres, Chairman

Sara Torres reported: Session I of the July 24, 2007 Meeting Report:

Correspondence: Correspondence:

June 01, 2007 – Letter from Pinelands School of Practical Nursing and Allied Health, Inc.

Re: FYI: Invitation to its first graduating class ceremony which took place on June 14, 2007.

b. June 19, 2007 - Letter from Kathleen Burke, PhD, RN, Assistant Dean-Joint Programs, UMDNJ School of Nursing

Re: FYI: Change of ownership of the Joint Nursing Programs at Ramapo College.

This is a follow-up to the previous letter of January 31, 2007. There will be no curriculum changes and the President’s Council has approved the change in ownership.

Jun 26, 2007 – Letter from Dover Business College

Re: FYI: Invitation to the Licensed Practical Nursing Class Pinning Ceremony on July 14, 2007

June 12, 2007 – Letter from Jennifer Butlin, EdD, Director, Commission on Collegiate Nursing Education

Re: FYI: Request for comments on Accreditation Standard set for revision

July 09, 2007 – News release, The State of New Jersey, Department of Law & Public Safety

Re: FYI: Attorney General Announces Hiring of Section Chief

July 10, 2007 – NLN Faculty Development Bulletin

Re: FYI: Certification Program / Online Courses / Workshops

Educational Resources Incorporated

Re: FYI: Total Testing

NCSBN

Re: FYI: Research Brief Volume 28 & 29, March 2007

### 2. Discussion

Genetics/ PPD

Discussion continued regarding the informational letter to be sent to nursing programs.

## Regulations

### a. Liability Insurance

Guest: Chuck Manning, Regulatory Analyst

Discussion ensued regarding the regulation N.J.A.C. 13:37-1.11 (a) 6, which requires student nurses to have individual liability insurance. Some of the schools would like to have an individual aggregate policy to cover all the students rather than monitoring that students have obtained and renewed their individual liability policies.

### b. Timeframe for application reviews.

The regulations N.J.A.C. 13:37-1.2 (b) state “an application to establish a new program in nursing shall be submitted to the Board no later than 8 months prior to the proposed establishment of the new program.” In addition, N.J.A.C. 13:37-1.2 (e) states “ the educational institution shall submit to the Board the following items no later than four months prior to the anticipated start date of the program.” Discussion ensued. The original intent was for programs to not expect that the process was instantaneous, however, now with the influx of numerous applications to begin LPN programs and the number of times these programs must submit revisions, the review process takes longer. Based on the discussion, the regulation will not be changed, however, the review process will depend on date order and number of applications that the Board receives. Additional information regarding the “date order process” will be included in the application packet.

## Licensing Concerns

a. Two applicants who graduated from foreign nursing programs would like to be exempted from the English Language proficiency examination. These students are to follow the regulations regarding English Proficiency and have been notified.

b. An applicant did not provide proof of high school graduation to CGFNS. The licensing department notified the applicant to submit proof of high school graduation. The applicant complied and has been given authorization to take NCLEX.

c. The Committee also discussed increasing the application fee to begin a program in New Jersey.

## Lincoln Technical Institute

### a. Response to Directives Letter

The school responded to the directives in the Accreditation Letter of May 15, 2007, which requested plans to improve NCLEX results and changes in the student handbook.

## Change of Director

Lincoln Technical Institute’s new Director is Timothy Inverso MSN, RN. He began the full time position on June 25, 2007.

Sara Torres reported: Session II of the July 24, 2007 Meeting Report:

## Correspondence:

July 05, 2007 – Email from Paul Tortolani, Prism Career Institute

Re: Request to take in smaller cohorts more often without going over the maximum number of students as per the school’s application to the Board. The school believes that having smaller cohorts allows the faculty and students to work more closely and rapidly identify students at risk.

After discussion, the Board upon a motion made by Sara Torres and duly seconded by Patricia Murphy, voted that Prism Career Institute may decrease the number of students per cohort and increase the number of classes as long as the school does not exceed the maximum number of students as per the application to the New Jersey Board of Nursing. The motion carried.

July 10, 2007 – Letter from Susan Ranzman, Chief Academic Officer, Dover Business College.

Re: FYI: New grading criteria and policies for new entering LPN classes. The school has been invited to meet with the Education Committee on September 25, 2007 regarding these policies.

c. July 13, 2007- Sandra Pieri Kearns, RN, MSN, CNE, Chief Nursing Officer, Nursing and Allied Health Program, Ocean County College

Re: Results of First cohort for One Day per Week Nursing Program

The graduates had 100% pass rate on NCLEX The school plans to expand the program by additional partnerships with Atlantic Cape Community College, Burlington Community College and increasing the cohort size to 30. The report also states that the Robert Wood Johnson Grant ended and the semester length returned to 15 weeks rather than 20.

d. July 23, 2007 - Email from Essex County College

Re: Submission of the Self-Study report. The report is to be submitted before the end of August 2007.

## 2. Review of Application Revisions

### a. MicroTech Training Center

The Committee previously met with Microtech representatives on May 22, 2007, and reviewed the March 20, 2007 application submission. Based on its review, the Committee requested revision/clarification and directed the school to obtain assistance from a nursing education consultant to revise the curriculum. Review of the present submission dated June 5, 2007, indicates that the school has failed to provide an appropriate curriculum as directed. Discussion ensued regarding revision or denial.

After discussion, the Board upon a motion made by Sara Torres and duly seconded by Karen Rodriguez voted that the Part II submission from MicroTech Training Center is rejected. Microtech may submit a final revision of Part II, which will be the last opportunity to satisfy the applicable regulations governing Part II of the application process. If the final revision of Part II is deemed inadequate to satisfy the program regulations the Board will have no other choice, but to apply the mandates of N.J.A.C. 13:37-1.2 (f) 3 and deny the application for a new program in its entirety. The motion carried.

## 3. New Program Application

### a. PC Age Career Institute - Part I

The Committee met with representatives from PC Age Career Institute and reviewed the school's Part I submission to begin a LPN program. The school has submitted the requested minor clarifications.

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

### b. PC Tech Learning Center – Part II

The Committee met with representatives from PC Tech Learning Center and reviewed Part II of the school's application to begin a LPN program in New Jersey. Based on its review the school's Part II submission requires extensive revision. The school is to submit a revised application and will be placed on the Committee's agenda

based on the date order it is received.

### c. Universal Training Institute, Inc. – Part II

The Committee met with representatives from Universal Training Institute, Inc and reviewed Part II of the school's application to begin a LPN program in New Jersey. Based on its review, the Committee requested minimal clarifications/revisions, which were reviewed and a favorable site visit was conducted. The Committee makes the following recommendation:

After discussion, the Board upon a motion made by Sara Torres and duly seconded by Marietta Cahill, voted to grant Provisional Accreditation to Universal Training Institute, Inc. Practical Nursing Program. The motion carried.

After discussion the Board, upon a motion made by Irma Bojazi and duly seconded by Marietta Cahill, voted to approve Sessions I and II of the Education Committee Report of July 24, 2007. The motion carried.

## 2. REGULATION COMMITTEE:

Irma Bojazi reported on:

### 1. Old Business:

N.J.A.C. 13:37-2.3 Evaluation Service Rule for Foreign Educated Nurses:

The Committee discussed Home Land Security Regulations regarding English language proficiency.

The Committee is awaiting Dr. Sarah Torres' feedback concerning use of the World Evaluation Service for foreign nurse applicants' course by course transcript evaluations.

Subchapter 7. Practice Rules for Advanced Practice Nurses:

The Committee discussed the need for Board of Nursing Regulations regarding Corporate Practice and Advertising for Advanced Practice Nurses. The Committee discussed the need for feedback from the Advanced Practice Nursing community about Corporate Practice, and recommended the scheduling of a meeting with Advanced Practice Nurses (APN's) to discuss the need for a Corporate Practice Rule for Advanced Practice Nursing in New Jersey.

Amendments to Subchapter 7: Review of Public Comments:

The Committee reviewed and discussed some of the comments received from the public regarding amendments to Subchapter 7, Advanced Practice Nurses. The public comments regarding the amendments to Subchapter 7 will be discussed further at the next available Committee Meeting.

### 2. Correspondence:

a. A letter dated July 31, 2007, from Donna Massey R.N., M.S.N., Education Officer of the Emergency Nurses Association (ENA), seeking clarification on the requirements for ENA to be an approved provider of continuing education programs that comply with N.J.A.C. 13:37-5.3, Continuing Education.

After discussion, the Board upon a motion made by Irma Bojazi and duly seconded by Noreen D'Angelo, voted to send a letter to Dale Gibbons and Donna Massey confirming the requirement of N.J.A.C. 13:37-5.3(d)1, all credentialing agencies are to be accredited by the National Commission for Certifying Agencies (NCCA). Once the Emergency Nurses Association obtains approval as a provider of continuing education programs by the National Commission for Certifying Agencies, programs and courses offered may be used by nurses to meet the requirements of N.J.A.C. 13:37-5.3. The motion carried.

b. Letter dated July 19, 2007, from Mariamma Jacob, Registered Nurse, requesting a waiver of the continuing education requirement to renew her nursing license due to a disability. The Committee carefully reviewed and discussed the letter from Ms. Mariamma Jacob.

After discussion, the Board upon a motion made by Irma Bojazi and duly seconded by Noreen D'Angelo, voted in accordance with N.J.A.C. 13:37-5.3, Continuing Education, that a letter be sent to Ms. Mariamma Jacob, RN, directing her to either place her New Jersey nursing license on the inactive status, or to comply with N.J.A.C. 13:37-5.3 which is a requirement to retain an active nursing license. The motion carried.

After discussion the Board, upon a motion made by Noreen D'Angelo and duly seconded by Sara Torres, voted to approve the Regulation Committee Report of July 31, 2007. The motion carried.

**ANNOUCEMENT:**

The October 5, 2007 Disciplinary Meeting has been rescheduled to Tuesday, October 16, 2007. The Disciplinary Meeting will convene immediately following the Regular Board Meeting, which will begin at 9:00 a.m.

**RATIFICATION:**

After discussion, upon a motion made by Patricia Murphy and duly seconded by Sara Torres, it was moved to approve the recommendations from the meeting held on September 7, 2007 Disciplinary Meeting. Motion passed. (Please see attached.)<sup>1</sup>

**OPEN FORUM:**

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

Sept 7 07 Disciplinary Report Attached

Mary Kamienski, Ph.D., R.N., A.P.N., C., FAEN, Assistant Dean of Graduate Programs, UMDNJ School of Nursing, Brenda Braun, RN, President, NJENA, .Melissa Precour, RN, NJENA, Anne Stefanoski, Clinical Educator, NJENA, . Gayle Walker-Cillo, CNS, NJENA, expressed concerns regarding the Board of Nursing regulatory requirement for credentialing via NCCA since ENA is not credentialled via NCCA which may hinder members from obtaining his or her 30 contact hours.

Carolyn Torre, Director of Practice, NJSNA – inquired about the Board's response on the BME, Corporate Practice Rules. Commented on the continuing education requirements and she also stated that NJSNA is working to provide information on the regulations.

After discussion the Board, upon a motion made by Avery Hart and duly seconded by Sarah Torres, voted to go into closed session to discuss complaints against nursing programs. The motion carried.

**ADJOURNMENT:**

On September 18, 2007 the Regular Open Board Meeting was adjourned at 1:25 p.m. The next Open Business Meeting will be held on October 16, 2007.

After discussion the Board, upon a motion made by Irma Lupia and duly seconded Karen Rodriguez, voted to adjourn the Regular Open Board meeting of September 18, 2007 at 1:25 p.m. The motion carried.

Respectfully Submitted,

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Noreen D'Angelo  
Board Secretary/Treasurer

