

**NEW JERSEY STATE BOARD OF NURSING  
MINUTES  
REGULAR OPEN BOARD MEETING  
SEPTEMBER 19, 2006**

A meeting of the New Jersey State Board of Nursing was held on September 19, 2006 in the Somerset Conference Room, 6th Floor, 124 Halsey Street, Newark, New Jersey. Nelson Tuazon, Board President, called the meeting to order at 9:40 a.m.

**ROLL CALL**

**BOARD MEMBERS PRESENT:**

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

**ALSO PRESENT:**

George J. Hebert, Executive Director  
Barbara Byers, Administrative Analyst  
Carol Onajide, Education Program Development Specialist II  
Karen Moosvi, Deputy Executive Director  
Margaret Howard, Field Representative  
Darlene Lapola, Deputy Attorney General  
Charles Manning, Regulatory Analyst, (for limited purposes)

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

Noreen D'Angelo

**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 September 19, 2006: Reading and Approval with amendments:

Add under Committees: Ronald H. Carr will present the Legislation Committee Report.

After discussion the Board, upon a motion made by Constance Wilson and duly seconded by Karen Rodriguez, voted to approve the Regular Board Meeting Agenda of September 19, 2006 with amendments. The motion carried.

**MINUTES:**

Open Regular Board Meeting Minutes of June 20, 2006 with amendments: Reading and Approval

Page 2 – Minutes – correct name of Martha Pollack

Page 3 – President’s Report – correct the name of the Philippine Nurses Association of America.

After discussion the Board, upon a motion made by Ronald H. Carr and duly seconded by Karen Rodriguez, voted to approve the Regular Board Meeting Minutes of July 18, 2006 as amended. The motion carried.

**REPORT OF THE BOARD PRESIDENT – NELSON TUAZON:**

George J. Hebert, Executive Director, Nelson Tuazon, Board President and Board Members Dr. Patricia Murphy and Dr. Sara Torres attended the NCSBN Annual Meeting on August 1-4, 2006 which was held in Salt Lake, Utah. Mr. Tuazon provided details of the meeting regarding the APN Vision Statement and how it will effect the practices of Advanced Practice Nurses.

Seeking Approval for: Nelson Tuazon and George J. Hebert to attend the NJHA and ONE Legislative Day in Trenton, NJ. October 13, 2006 Nelson Tuazon to attend the Philippine Nurses Association Gala.

After discussion the Board, upon a motion made by Ronald H. Carr and duly seconded by Sara Torres, voted to approve appearances of the Board President and Executive Director to the above mentioned events. The motion carried.

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

George J. Hebert reported that:

There have been changes in the Division of Consumer Affairs, Anne Miligram has been appointed as the acting Attorney General and Stephen Nolan is the Acting Director.

Mr. Hebert announced that he has been accepted into the Doctoral of Nursing Program at Seton Hall University.

On May 31 – June 2, 2006, George Hebert along with Board Members Noreen D’Angelo and Sara Torres attended a meeting that was sponsored by Dr. Susan Reinhard, Co-Director, of the Rutgers Center for State Health Policy on nurse delegation. Dr. Reinhard is requesting that the Board of Nursing support the Rutgers Center for State Health Policy pilot program so that Ms. Reinhard may apply for grant monies. This pilot program is for community living of elder adults with disabilities and would include nurse delegation of medication administration.

The Board discussed the Grant Proposal for pilot/evaluation on nurse delegation with medication administration. The Board members requested that a letter be sent to Dr. Reinhard requesting additional information about the pilot program.

After discussion the Board, upon a motion made by Patricia Ann Murphy and duly seconded by Sara Torres, voted to write a letter supporting the Grant Proposal. The motion carried.

Discussion ensued at the NCSBN Annual Meeting regarding rewriting regulations to prevent exclusion of different types of advanced practice nurses. Presently, New Jersey certifies seventeen (17) types of APNs.

Lucille Joel, EdD, RN, FAAN, of Rutgers was invited to speak at the Board meeting about advanced practice nurse certification. Dr. Joel commented that consumers need access to APNs. Having lists of the types of APNs that state certifies is exclusionary. State certification of APNs should not be limited if the applicant has appropriate education and specialty certification by a national accrediting body such as ABNS (American Board of Nursing Specialties).

The Alternative to Discipline Committee will meet immediately following the Regular Board meeting today.

The Recovery and Monitoring Program was approved as the provider for the Alternative to Discipline Program and the issue of funding is being discussed with the Committee.

The Massage Therapists will be going through their first renewal in November 2006. The Massage Therapists will be given the opportunity to renew their certifications online.

Statistics for month of August 2006 there are 109,288 active registered nurses, 20,857 active licensed practical nurses, 5,558 inactive registered nurses and 997 inactive licensed practical nurses.

Seeking approval for Irma Lupia, Board member to speak at the NJSNA Trenton Day on October 12, 2006.

After discussion the Board, upon a motion made by Leo-Felix Jurado and duly seconded by Patricia Ann Murphy, voted to approve the appearance of Irma Lupia at the above mentioned event. The motion carried.

### **CORRESPONDENCE:**

July 8, 2006, email from Kristin, A. Hellquist, MS, Director of Policy & Government Relations, NCSBN regarding an article in the Houston Chronicle about the views on health care from a doctors point of view.

July 11, 2006, an article from the Star Ledger on "Arab-American nursing group aims to expand into New Jersey".

July 20, 2006, an article from the Institute of Medicine about "Preventing Medication Errors: Quality Chasm Series".

August 4, 2006, email from the National Nurse team regarding the National Nurse Newsletter on two new sponsors for HR 4903.

August 9, 2006, email from Betty Burns, Executive Director, NCC, regarding NCC Certification Exam Changes.

August 16, 2006, email from Kara Wood regarding an article written by Karen Sudol from the Asbury Press about a nurse accused of 2 sexual assaults.

August 18, 2006, an article from the Manila Times regarding a "school dean goes to court to stop nurses from taking oath".

APN Certification Categories.

A Resolution from the New Jersey League of Nursing on "Promotion Fairness for New Jersey Nurses To Ensure Nursing Availability for The Healthcare of Our Citizens".

### **COMMITTEE REPORTS:**

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

Leo-Felix Jurado reported: Session I of the July 25, 2006 Meeting Report

1. Ginger Provost, Deputy Attorney General provided information to the Board regarding a Final Judgment and Order rendered against Comtrain, Inc.

2. Correspondence:

July 6, 2006 – Letter from Sara Torres, PhD, RN, FAAN, Dean and Professor, UMDNJ-School of Nursing Re: FYI, Informing the Board of two additions to its graduate nursing programs (CNL and DNP Program).

June 23, 2006 – Letter from Michele Sainsott, MSN, Coordinator of the PN Program, Atlantic County Institute of

Technology

Re: FYI, Notification of Michele Sainsott resignation as of August 10, 2006.

c. FYI, Accreditation Renewal on-site visit waiver  
County College of Morris  
The College of New Jersey

Renewal of Accreditation Review  
Salem Community College

The Committee reviewed the materials submitted for renewal of accreditation from Salem Community College. The submission requires revision and clarification which, is to be submitted prior to December 21, 2006.

In the future, after Salem Community College's RN program receives accreditation the Committee would like the renewal of accreditation for Salem's RN and LPN programs to coincide.

Leo-Felix Jurado reported: Session II of the July 25, 2006 Meeting Report

#### 1. New Nursing Programs (Appearances)

##### a. HoHoKus School of Business & Medical Sciences Hackensack– Proposed Bilingual Practical Nursing Program

Representatives from HoHoKus Bilingual Program provided the Committee with an in depth presentation regarding an innovative Bilingual Program which the school would like to institute. Admission criteria, tuition costs, textbooks, and the curriculum plan were presented. Essentially, HoHoKus plans to provide ESL education in conjunction with the nursing program. The plans are to progress from Spanish to English in the presentation of the practical nursing curriculum. This will lengthen the curriculum from 12 to 18 months.

The Board President, and Executive Director have received letters of support from Ruben D. Fernandez, MA, RN, Vice President, Palisades Medical Center regarding this program. After discussion the Board, upon a motion made by Leo-Felix Jurado and duly seconded by Constance Wilson, voted that approval be granted to the HoHoKus School of Business & Medical Sciences Hackensack Bilingual Nursing Program, pursuant to N.J.A.C. 13:37-1.16 (d). In addition, the school is to submit an evaluation report to the Board within 3 years from the date of implementation of the program regarding the effectiveness of the Spanish-English curriculum. The motion carried.

##### b. Sierra Allied Health Academy – Part II, Proposed Practical Nursing Program

The Committee met with representatives from Sierra Allied Health Academy. Their Part II submission requires further revision and the school needs approval of the Department of Labor and Workforce Development and the Department of Education.

#### Certified Homemaker Home Health Aide Rules

Charles Manning, Regulatory Analysis reviewed the proposed regulatory changes for the Certified Homemaker Home Health Aides and the Committee provided input, comments and suggested changes.

#### Initial Accreditation Self Study Report Reviews

##### New Community Corporation (NCC)

New Community Corporation's ("NCC") self-study submission requires further revision. The revisions are due by the end of September 2006. Best Care Training Institute

#### Symposium Brain Storming Draft

The Education Committee began its discussion of plans for a symposium regarding the future of nursing education in New Jersey. Details will follow as the plans evolve.

The Board upon a motion made by Patricia Ann Murphy and duly seconded by Sara Torres, voted to approve Sessions I and II of the July 25, 2006 Education Committee Report. The motion carried.

### **PRACTICE COMMITTEE:**

Patricia Ann Murphy Reported: The Committee met on September 12, 2006

### **OLD BUSINESS:**

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

The Committee continued its review of the letter from Kevin Korsgaard dated July 5, 2005, regarding supervision and practice of Medical Assistants, along with the response from the New Jersey Board of Medical Examiners to Mrs. Barbara Byers via e-mail.

After discussion the Board, upon a motion made by Karen Rodriguez and duly seconded by Irma Lupia, voted that a letter be sent to Mr. Korsgaard advising him that the New Jersey Board of Nursing has an Algorithm for Determining Scope of Practice and for Making Delegation Decisions on the Board's web site, which Registered Professional Nurses use to make decisions about delegation of selected nursing tasks to Licensed Practical Nurses and ancillary nursing personnel. The Board of Nursing does not regulate the practice of Medical Assistants, and any complaints about physician delegation of tasks to Medical Assistants are to be submitted to the New Jersey Board of Medical Examiners. The motion carried.

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

The Committee obtained a response from the New Jersey 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. The Board of Medical Examiners advised the Committee that at this time, it is not inclined to accept the Committee's offer.

After discussion the Board, upon a motion made by Constance Wilson and duly seconded by Mary Sibley, voted to approve the Practice Committee Report of September 12, 2006. The motion carried.

3. REGULATION COMMITTEE:

Sara Torres Reported: The Committee met on June 27, 2006

### **OLD BUSINESS:**

1. Alternative to Discipline Monitoring Program Proposal:

The Committee reviewed funding options for the Alternative to Discipline Program. One concept discussed as a possible option to be explored was the feasibility of a five dollar (\$5.00) biannual license renewal surcharge.

Andrea Aughenbaugh, Chief Operating Officer of the New Jersey State Nurses Association, and Joanne Cole, Director of the RAMP Program of New Jersey, presented a two- (2) year RAMP budget. After discussion the Board, upon a motion made by Patricia Ann Murphy and duly seconded by Sara Torres, voted to approve a surcharge of \$5.00 to be allocated to the Alternative to Discipline Program. The motion carried.

Petition for Rulemaking:

The Committee received comments from Elizabeth A. Ryan, Chief Operating Officer & General Counsel, New Jersey Hospital Association regarding the Nurse Multistate Licensure Compact.

The Board will send an acknowledgement letter to Ms. Ryan along with a notice of Final Action or Extension regarding the Nurse Multistate Licensure Compact.

N.J.A.C. 13:37-7.1, Application for certification:

The Committee discussed revising the language in N.J.A.C. 13:37-7.1.

After discussion the Board, upon a motion made by Patricia Ann Murphy and duly seconded by Irma Lupia, voted to approve the revisions in the language of N.J.A.C. 13:37-7.1, Application for certification. The motion carried.

#### 4. LEGISLATION COMMITTEE:

Ronald H. Carr Reported:

The Committee was asked to review Assembly Bill 3063 – which concerns meeting notices and minutes requirements of Open Public Meetings Act.

Mr. Carr expressed concerns regarding who will be funding each request for disclosures of minutes and what is the requested turn around time for the minutes to be available.

The Committee does not support this bill.

After discussion the Board, upon a motion made by Ronald H. Carr and duly seconded by Virginia McKenney, voted for non-support of Assembly Bill 3063. The motion carried.

#### **OPEN FORUM:**

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

Angela Richman, CRNA, Executive Director, New Jersey Association of Nurse Anesthetists commented about the MSN programs. Currently 50% of nursing programs do not offer a program in nurse anesthesia, but it is offered in science. The Grandfathering clause would only apply to 50% of CRNAs, as APNs and 50% of CRNAs do not hold a master's degree and in turn they will be out of work if the regulations are approved as they are.

Josephine Sienkiewicz, RN, MSN, Director of Education and Clinical Practices, The Home Care Association of New Jersey commented about receiving more information on the Pilot program proposal.

Joanne Cole, Executive Director, RAMP, thanked the Board of Nursing for approving the surcharge to be allocated for the Alternative to Discipline Program.

The Board, upon a motion made by Irma Lupia and duly seconded by Constance Wilson, voted to go into closed session for the purpose of discussing complaints against nursing programs. The motion carried.

#### **ADJOURNMENT:**

On September 19, 2006, the Regular Open Business Meeting was adjourned at 1:20 p.m. The next Regular Open Business Meeting will be held on October 17, 2006.

After discussion the Board, upon a motion made by Ronald H. Carr and duly seconded by Patricia Ann Murphy, voted to adjourn the regular Board meeting of September 19, 2006 at 1:20 p.m. The motion carried.

Respectfully Submitted,

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Nelson Tuazon  
Board President