

NEW JERSEY STATE BOARD OF NURSING
MINUTES
OPEN BUSINESS MEETING
SEPTEMBER 22, 2009

A meeting of the New Jersey State Board of Nursing was held on September 22, 2009 in the Somerset Conference Room, 6th Floor, 124 Halsey Street, Newark, New Jersey. Dr. Patricia A. Murphy, Board President called the meeting to order at 9:35 a.m.

ROLL CALL

BOARD MEMBERS PRESENT:

Saundra Austin-Benn
Irma Bojazi
Noreen D'Angelo
Avery Hart
Joni Jones

Leo-Felix Jurado
Patricia Murphy
Constance Wilson

ALSO PRESENT:

George J. Hebert, Executive Director
Darlene Lapola, Deputy Attorney General
Diane Scott, Administrative Staff
Charles Manning, Regulatory Analyst (to discuss regulation changes)
Bindi Merchant, Deputy Attorney General (I/M/O Gregory Field)

BOARD MEMBERS NOT PRESENT:

Marietta Cahill
Karen Rodriguez

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 26, 2008. A schedule of all 2009 Regular Open Board Meetings to be held during 2009 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 22, 2009: Reading and Approval with amendments:

- Add under appearance – Budget Review: Darlene Kane, Budget Officer.

After discussion the Board, upon a motion made by Leo-Felix Jurado and duly seconded by Irma Bojazi, voted to approve the Regular Open Board Meeting Agenda of September 22, 2009 as amended. The motion carried.

MINUTES:

Open Business Meeting Minutes of June 16, 2009: Reading and Approval with amendments:

- Page 14 – Legislation: The Emergency Volunteer Act. The Board agreed to monitor for more information.

After discussion the Board, upon a motion made by Leo-Felix Jurado and duly seconded by Noreen D’Angelo, voted to approve the Regular Open Board Meeting Minutes of June 16, 2009 as amended. The motion carried.

REPORT OF THE BOARD PRESIDENT – DR. PATRICIA A. MURPHY:

Noreen D’Angelo reported on the events of the 2009 NCSBN Annual Meeting:

- Provided valuable information to the students about NCSBN and the purpose and scope of its responsibility.
- 61 Member Boards were represented
- A new Board of Director was elected
- New Membership was approved
- A new 2010 RN NCLEX was adopted
- The meeting also included networking with other states
- Collected data from Boards of Nursing regarding Practice Issues.
- Discussed implementation of a continued competency exam

APPEARANCE:

FY2009 Budget Report – Darlene Kane, Budget Officer reported:

- RAMP Collection
- Recent legislation called for 5% of all licensing fees to go to the Collaboration Center for Nursing.
- Projected fee decrease for licensure will be addressed in the future

- Project scanning project to cut down on the use of paper.

REPORT OF THE EXECUTIVE DIRECTOR – GEORGE J. HEBERT:

George J. Hebert reported:

- 2009 CHHA Renewal period has begun. The CHHAs are encouraged to renew online. A new format has been put into place that would require all CHHAs to be employed in order to renew their certifications.
 - Issue of concern: The Board is receiving numerous calls concerning with collaboration agreement. A number of institutions are indicating that some of the physicians are reluctant to sign an agreement with CRNAs. A discussion ensued regarding the Board meeting with the Board of Medical Examiners to discuss this issue.
 - Nurses working for agencies – It is an issue of concern, having an unlicensed individual working in a home setting unsupervised by an RN. They usually begin employment providing non-hands on services. However, as the patient's condition gradually change companions are allegedly requested to provide hands-on care.
 - Proposed Calendar for 2010 meeting dates were distributed for review and feedback.
 - Western Governor University - Jane Jones-Schunk received approval from the California Board of Nursing to begin offering an online program. Ms Jones-Schunk would like the Board to review the program to determine if the program could get approved in NJ.
 - September 29, 2009 there will be a subcommittee of the Education Committee that will be meeting to review the education regulations in view of recent changes in have occurred in the ways nursing education programs are designed and implemented.
 - NCSBN website offers a variety of information that can be very helpful to nursing students that will be sitting for the NCLEX and nurses entering the practice spectrum. More information can be found by visiting their website at www.ncsbn.org.
 - Recent communication from NCSBN to the Board regarding the titling status for APNs. There is a national attempt to change the title from APN to APRN. NCSBN is requesting feedback from member boards regarding this matter.
 - The Board has been working with the Division on implementing a new online verification system. Currently there are two ways to receive verification of license 1) via telephone and 2) online which is updated monthly. Work is being done to initiate a new format that would allow nurses to go online to pay and verify licenses along with disciplinary actions.
 - Staffing – the Board may be losing 4 temporary personnel after Sept 30, 2009, due to a contractual agreement.
 - Appearance – October 10, 2009 George Hebert to attend a meeting at the CRNA Association to discuss nursing practice.
- After discussion, the Board upon a motion made by Noreen D'Angelo and duly seconded by Connie Wilson, voted to the appearance of the Executive Director. The motion carried.**

CORRESPONDENCE:

1. June 30, 2009 – letter from William A.B. Ditto, Director regarding periodic update of activities made by the New Jersey Delegation Pilot Project.
2. August 18, 2009 – letter from Patricia Gable Burke, BSN, RN, CWOCN, President, WOCNCB and Phyllis Bonham, PhD, MSN, RN, CWOCN, DPNAP, President, WOCN Society regarding Improving Patient Wound Care.
3. August 27, 2009 – memo from Susan Walsh, MD, FACP, Deputy Commissioner, Public Health Services regarding Updated H1N1 Vaccine Information.
4. September 1, 2009 – letter from Dawn Catrina Sparacio, RN, BSN, JD requesting an exemption from displaying full name on ID tags.
5. September 1, 2009 – memo from Susan G. Lorenz, Dr NP, RN, VP Patient Care Services and CNO, Princeton HealthCare System regarding Name and Licensure on ID tags. The Board directed that George Hebert, Executive Director send a letter to Dr. Lorenz providing her with an answer regarding ID tags in an emergency room setting.

INFORMATIONAL PURPOSES:

1. Legislative Affairs Report – Second Quarter April 1, 2009 – June 30, 2009
2. AARP Health Care Reform Priorities: Providing the Nurses we Need to Improve Health Care for All Americans
3. May 14, 2009 – letter from Teresa Veneziano, MSN, RN, Interim Chief Nursing Officer, Nursing and Patient Services, Robert Wood Johnson University Hospital regarding a change in the Chief Nurse Officer.
3. July 1, 2009 – Commission on Higher Education Meeting Schedule for 2009-10 and meeting summary
4. July 8, 2009 – Board of Medical Examiners Agenda and Minutes
5. July 13, 2009 – Los Angeles Times Article: Problem Nurses stay on the job as patients suffer
6. July 15, 2009 – correspondence from Brian Kanapkey, MA, CCC-SP, North Carolina Straight Talkers presenting a seminar entitled “Speaking Outside the Box.” This is a multidisciplinary seminar on the total rehabilitation of the laryngectomized patient.
7. August 6, 2009 – NCSBN Adds to its Body of Research with the Publication of Three New Research Briefs
8. August 17, 2009 – New Jersey Register: Application for Establishment of a New Program in Nursing, Proposed Amendment: N.J.A.C. 13:37-1.2
9. August 17, 2009 – New Jersey Register: Maintaining Accreditation: Criteria for Student Admission, Promotion and Completion of the Program, Proposed Amendment: N.J.A.C. 13:37-1.11
10. August 24, 2009 – email from Nancy Chormick, PhD, RN, CAE, Director, Outreach Services, NCSBN – comments regarding Hearings on Health Care and Competition Law and Policy.
11. September 1, 2009 – memo from Karen J. Wells, Supervisor, Administrative Rules Unit, Department of Corrections regarding Proposed Amendments at N.J.A.C.

10A:13-1.1 to 1.3, 13-2.1-2.3, 13-4.1-4.3, and 13-5.2 and 5.4, Inmate Jobs and Wages.

COMMITTEE REPORTS:

1. EDUCATION COMMITTEE: -

Leo-Felix Jurado reported: July 21, 2009 Committee Meeting

1. Session I Correspondence:

- a. February 16, 2009 – Letter from Wendy Finch, Vice President Business Development, aQuire Training Solutions.
Re: FYI: An online Homecare/Hospice module training course resumes.

Staff will send letter informing the agency that the board does not approve online training courses for this level practitioner.

- b. May 12, 2009 – Custom Report from National Council State Boards of Nursing (NCSBN) www.ncsbn.org.
Re: FYI: Regulatory Simulation Guideline Report.

This will be shared at the September 29, 2009 special meeting..

- c. April 7, 2009 – Letter from Elizabeth C. Jendral, Licensing Manager, Chamberlain College of Nursing. www.chamberlain.edu.
Re: FYI: Beginning in May 2009, Chamberlain intends to offer an online RN-BSN degree completion option and online MSN program to NJ residents.

This issue was on the agenda for informational purposes.

- d. May 26, 2009 – E-mail from Jennifer Butlin, EdD, Director, Commission on Collegiate Nursing Education (CCNE). www.aacn.nche.edu/accreditation.
Re: FYI: Commission on Collegiate Nursing Education Accreditation Actions Spring 2009.

This issue was on the agenda for informational purposes

- e. May 29, 2009 – E-mail from Mary Stucky, MSN, RN, Senior Instructor, Washington State University College of Nursing. <http://nursing.wsu.edu>.
FYI: Online/Web Program at Washington State University RN-BSN in January 2010.

This issue was on the agenda for informational purposes

- f. June 2, 2009 – Letter from Donna J. Stankiewicz, MSN, RN, Assistant Dean, Passaic County Community College. <http://www.pccc.cc.nj.us/>

Re: FYI: The Nursing Education Department moved to a new campus. Nursing courses will be offered at the Passaic Campus located at 2 Paulison Avenue in Passaic, NJ.
Staff will send acknowledgement letter

- g. June 8, 2009 – Letter from Sandra L. Quinn, MSN, RN, CNE, Director, Capital Health System School of Nursing.
Re: FYI: Capital Health System SON has changed its name to Capital Health School of Nursing.

Staff will send acknowledgement letter

- h. June 22, 2009 – Letter from Patricia Piscitelli, RN, MS, BC, Warren County Technical School.
Re: FYI: Patricia Piscitelli will no longer serve as PN Supervisor at Warren County Technical School effective June 30, 2009. Ms. Geta Vogel, Vice Principal of Warren County Technical School will oversee the program.

Staff will send acknowledgement letter

- i. June 24, 2009 – Letter from Mark Buch, Executive Director, Lincoln Technical Institute, Edison, NJ.
Re: FYI: Notification that William J. Gottshall will be the new Director of the Practical Nursing Program at the Edison Campus effective May 18, 2009.

Staff will send acknowledgement letter

- j. Bulletin from ETS TOEFL (*Pass around material*)
Re: Testing Update- Spring 2009

This issue was on the agenda for informational purposes.

- k. July 1, 2009 – Letter from Sandra Kearns, MSN, RN, CNE, Chief Nursing Officer, Ocean County College.
Re: Effective August 15, 2009 Sandra Kearns will return to a full time faculty position and effective July 20, 2009 Colleen Manzetti, RN, MSN, CNE will assume the role Assistant Dean of Nursing.

Staff will send an acknowledgement letter

2. Site Visit Report

- a. Eastwick College

The Committee reviewed the site visit report, which was conducted by George Hebert, Executive Director on Thursday, June 30, 2009.

After discussion, the Board upon a motion made by Leo-Felix Jurado and duly seconded by Connie Wilson, voted to grant provisional accreditation to Eastwick College to offer a Licensed Practical Nurse to Registered Nurse (ADN) curriculum. The motion carried.

3. Sexual Assault Nurse Examiner (*Deferred due to time constraints*)
 - a. The College of New Jersey
4. Discussion: (*Deferred due to time constraints*)
 - Moratorium (*New Practical Nursing Program Application*)
 - Program codes for multiple sites

Session II Committee Report

1. Session II Correspondence:
 - a. May 29, 2009 – Letter from Timothy Inverso, RN, MSN, CEN, Practical Nursing Program Director, Lincoln Technical Institute, Mt Laurel Campus
Re: FYI: Two students, Sharon Cooper and Lisa Woodson who have been terminated from the practical nursing program at the Mt. Laurel Campus for inappropriate conduct.

Staff will send acknowledgement letter
2. CGFNS: Course-by-Course Report
 - a. Svetlana Ustayev
 - b. Mariya Sokolovska
Re: Foreign credential evaluation report for applicants seeking licensure in New Jersey by Endorsement

The committee discussed and reviewed Svetlana Ustayev and Mariya Sokolovsk CGFNS Credential Evaluation Service (CES) Full Education Course-by-Course Report. Applicants are seeking licensure by endorsement and both applicants received their nursing education in foreign countries; however the education requirement of their nursing program only included a limited amount of theoretical instruction and clinical practice in the area of Psychiatric/Mental Health.

After the discussion, the Board upon a motion made by Leo-Felix Jurado and duly seconded by Sandra Austin-Benn, voted to grant licensure to Svetlana Ustayev and Mariya Sokolovska as both applicants have taken and successfully passed the NCLEX-RN Examination in another sister state and currently holds an active license in such State. The motion carried.

3. Curriculum Changes

a. Essex County College

The Committee reviewed Essex County College (LPN) program proposed curriculum changes. The proposed change is to change the program from a part-time 18 months evening program to a 12 month fulltime day program.

After discussion, the Board upon a motion made by Leo-Felix Jurado and duly seconded by Connie Wilson, voted to approve the Essex County College-LPN Nursing Program curriculum change pursuant to N.J.A.C 13:37-1.16. The motion carried.

4. Revisions/Clarifications: (*Deferred due to time constraints*)

- Marie's Allied Health & Technology (Phase II)

5. New Program Application (*Appearances*)

a. Eastern College-RN (Phase I)

The Education Committee met with representatives from *Eastern College* previously know as *Micro Tech* and reviewed *Part I* of the application to establish a new associate program in nursing in New Jersey.

After discussion, the Board upon a motion made by Leo-Felix Jurado and duly seconded by Joni Jones, voted to approve *Part I* of the preliminary application for the establishment of a new Associate program in Nursing; and Eastern College is to be granted permission to pursue development of *Part II* of the application process. The motion carried.

b. Moe Shea Corporation-LPN (Phase I)

The Committee met with Moe Shea Corporation representatives, and reviewed Part I application submission.

After discussion, the Board upon a motion made by Leo-Felix Jurado and duly seconded by Sandra Austin-Benn, voted to approve *Part I* of the preliminary application for the establishment of a new Licensed Practical program in Nursing; and Moe Shea Corporation is to be granted permission to pursue development of *Part II* of the application process. The motion carried.

c. Com-Tech Institute-LPN (Phase I)

The Committee met with Com-Tech Institute representatives, and reviewed Part I application submission. Based on its review the Committee informed Com-Tech

Institute representatives that they need to seek assistance from a nursing educator in the development of Phase II before submission.

After discussion, the Board upon a motion made by Leo-Felix Jurado and duly seconded by Connie Wilson, voted to approve *Part I* of the preliminary application for the establishment of a new Licensed Practical program in Nursing; and Com-Tech Institute is to be granted permission to pursue development of Part II of the application process. The motion carried.

After discussion, the Board upon a motion made by Leo-Felix Jurado and duly seconded by Connie Wilson, voted to approve Sessions I and II of the Education Committee Report of July 21, 2009.

2. REGULATION COMMITTEE:

Irma Bojazi reported: July 21, 2009 Committee Meeting

Old Business:

1. N.J.A.C. 13:37-6.1: Delegation and Supervision

The Committee discussed the proposed change to N.J.A.C. 13:37-6 regarding delegation of nursing tasks and the fact that, in the past several years, the Board has received virtually no complaints. The committee also discussed the fact that the suggested changes to the rules raised during review of the Board approved draft, particularly documentation of delegations, would run counter to current nursing practice.

After discussion, the Board upon a motion made by Irma Bojazi and duly seconded by Noreen D'Angelo, voted not to proceed with any changes to delegation rules. The Board will revisit this issue after the conclusion of the pilot program for certified homemaker-home health aide administration of medication, which includes mechanisms for documentation of delegation. The motion carried.

2. N.J.A.C 13:37-5.5, 9.8: FN-CSA

The Committee reviewed and discussed amendments N.J.A.C 13:37-5.5 and 9.8 which deals with renewal requirements for forensic nurses - certified sexual assault (FN-CSAs). The amendments would require FN-CSAs who are administratively suspended or on inactive status for more than five years to retake the FN-CSA education course, to meet the clinical requirements and to pass the clinical examination. FN-CSAs who worked in another state during the period of suspension or inactive status will be permitted to reinstate or reactive without meeting these requirements.

After discussion, the Board upon a motion made by Irma Bojazi and duly seconded by Joni Jones, voted to approve the amendments to N.J.A.C. 13:37-5.5, 9.8. The motion carried.

3. N.J.A.C 13:37-16.4, 16.7 and 16.11, Massage, Bodywork and Somatic Therapy:

The Committee reviewed and discussed the adoption of amendments to N.J.A.C. 13:37-16.4, 16.7 and 16.11, which recognize that a massage, bodywork and somatic therapy education course can be approved by an agency recognized by the United States Department of Education, The New Jersey Department of Labor and Workforce Development, the New Jersey Commission of Higher Education, or an agency of another state which has substantially similar requirements.

After discussion, the Board upon a motion made by Irma Bojazi and duly seconded by Sandra Benn, voted to approve the adoptions of amendments to N.J.A.C. 13:37-16.4, 16.7 and 16.11

4. N.J.A.C. 13:37-14.3: Homemaker-Home Health Aide

The Committee reviewed and discussed amendments N.J.A.C. 13:37-14.3, which requires that a homemaker-home health aide shall only perform nursing tasks delegated by a registered professional nursing. The rule also requires that the registered professional nurse to document in the nursing care plan the task that has been delegated. Charles Manning, Regulatory Analyst will explore the care plan and provide additional information at the next meeting.

5. N.J.A.C. 13:37-5-5 - 14.15: CHHA's Rules

The Committee will review all the Board approved amendments to N.J.A.C. 13:37-14 at its next meeting.

Correspondence:

1. May 19, 2009 – E-mail from Nancy Spector, Director of Regulatory Innovations, National Council of State Boards of Nursing. <https://www.ncsbn.org/363.htm>.
Re: FYI: NCSBN's Transition to Practice Model

This issue was on the Committee's agenda for informational purpose.

After discussion, the Board, upon a motion made by Karen Rodriguez and duly seconded by Connie Wilson, voted to approve the Regulation Committee Reports of July 21, 2009 The motion carried.

OPEN FORUM:

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

- There were no comments from the public.

After discussion, the Board upon a motion made by Saundra Austin-Benn and duly seconded by Connie Wilson, voted to go into closed session to discuss disciplinary matters and nursing programs. The motion carried.

ADJOURNMENT:

On September 22, 2009 the Regular Open Board Meeting was adjourned at 1:00 p.m. The next Regular Board Meeting will be held on November 17, 2009.

After discussion the Board, upon a motion made by Connie Wilson and duly seconded Saundra Austin-Benn, voted to adjourn the Regular Open Board meeting of September 22, 2009 at 1:00 p.m. The motion carried.

Respectfully Submitted,

Leo-Felix Jurado
Secretary/Treasurer