

**NEW JERSEY STATE BOARD OF NURSING
MINUTES
OPEN BUSINESS MEETING
OCTOBER 21, 2008**

A meeting of the New Jersey State Board of Nursing was held on October 21, 2008 in the Somerset Conference Room, 6th Floor, 124 Halsey Street, Newark, New Jersey. Patricia Murphy, Board Secretary/Treasurer, called the meeting to order at 9:40 a.m.

ROLL CALL

BOARD MEMBERS PRESENT:

Saundra Austin-Benn Patricia Murphy
Irma Bojazi Karen Rodriguez
Noreen D'Angelo Constance Wilson
Joni Jones

ALSO PRESENT:

George J. Hebert, Executive Director
Mary Peterson, Supervisor, Disciplinary Section
Darlene Lapola, Deputy Attorney General
Charles Manning, Regulatory Analyst (to discuss regulation changes)

BOARD MEMBERS NOT PRESENT:

Marietta Cahill
Avery Hart
Leo-Felix Jurado

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, 2007. A schedule of all 2008 Regular Open Board Meetings to be held during 2008 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 October 21, 2008: Reading and Approval with amendments:

To add under committee reports – Nominating Committee
To add under the Executive Director's Report
Legislation: S2190 and A3290
Proposed Meeting Dates for 2009

After discussion the Board, upon a motion made by Irma Bojazi and duly seconded by Karen Rodriguez, voted to approve the Regular Open Board Meeting Agenda of October 21, 2008 as amended. The motion carried.

MINUTES:

Open Business Meeting Minutes of September 16, 2008: Reading and Approval amendments:

Page 11- second motion under #2, should state - After discussion, the Board upon a motion made by Karen Rodriguez and duly seconded by Irma Bojazi, voted to authorize a subcommittee of the Board to hear the Order to Show Cause and after render a decision in the instant matter, which will be ratified at the next available Board meeting. The motion carried.

The Committee subsequently accepted an order of voluntary temporary suspension. The terms are more fully set forth in the filed order executed on September 19, 2008.

After discussion the Board, upon a motion made by Constance Wilson and duly seconded by Noreen D'Angelo, voted to approve the Regular Open Board Meeting Minutes of September 16, 2008 as amended. The motion carried.

REPORT OF THE BOARD PRESIDENT – LEO-FELIX JURADO:

No report.

REPORT OF THE EXECUTIVE DIRECTOR – GEORGE J. HEBERT:

George J. Hebert reported:

The Board received a communication from Trintas School of Nursing informing the Board about receiving the NLN Accreditation Commission Education Excellence Award. They are one of thirteen schools to receive this award and the first nursing education in New Jersey.

Mr. Hebert attended the CRNA Workshop on October 18, 2008 and provided them with information on the new APN regulations.

The SAVE Program – is a federal program that enables Boards and other agencies to verify immigration status of individuals who are seeking licensure. Workshops are being conducted for staff to be properly educated about the procedures that will be used to verify immigrant status.

Received a notification from NCSBN that beginning January 2009 there will be an online registration for NCLEX and the individual will be able to print out the confirmation form.

Within the past few months there has been discussion by the Board regarding guidelines for management of life threatening food allergies in a school setting. The Board received a correspondence of how some schools are handling that issue.

The Board was requested to review the following bills:

Senate Bill 2190 – Permanently revokes licenses of health professionals for illegal disposal of medical waste. The Board upon a motion made by Irma Bojazi and duly seconded by Noreen D'Angelo, voted to open for discussion. The motion carried.

The Board upon a motion made by Joni Jones and duly seconded by Connie Wilson, voted to oppose Senate Bill 2190 with the following comments: because the bill automatically permanently revokes healthcare professionals licenses if they are involved in illegal or improper disposal of medical waste. If a licensee is convicted of a felony the matter would come to the appropriate licensing Board for appropriate action. The motion carried.

Assembly Bill 3290 – Requires license suspension of certain health care professionals and medical waste facilities, generators, and transporters for willful improper medical waste disposal. The Board upon a motion made by Joni Jones and duly seconded by Noreen D'Angelo, voted to open for discussion. The motion carried.

The Board, upon a motion made by Joni Jones and duly seconded by Noreen D'Angelo, voted to oppose Assembly Bill 3290 with the following comments: The appropriate licensing Board has jurisdiction over what actions are taking against the license of a licensee. The motion carried.

Proposed meeting dates for the continuation of calendar year 2008 calendar year 2009 – At the present time resources are inadequate to properly prepare for all of the meetings. In order to properly prepare the materials in a timely fashion, the Board meeting will be held as follows:

The Disciplinary Meeting will continue to meet every first Friday of the month. The Regular Board Meeting will be held every other month on the third Tuesday. The Alternative to Discipline Meeting will continue to meet right after the Regular Board Meeting. The Regulation and Education Committees Meetings will be held on the third Tuesday of the months opposite the Regular Board Meeting. The Massage Committee meeting will continue to meet on the last Wednesday of every month.

The Board, upon a motion made by Noreen D'Angelo and duly seconded by Sandra Austin-Benn, voted to approve the proposed meeting dates for the continuation of 2008 and 2009. The motion carried.

Seeking Approval for Joni Jones, Board Member to attend the following meeting:

November 20, 2008 – Advisory Nurse Delegation Pilot, Trenton, NJ.

After discussion, the Board upon a motion made by Connie Wilson and duly seconded by Karen Rodriguez, voted to approve the appearance of the Joni Jones, Board Member. The motion carried.

CORRESPONDENCE:

1. Institute for Nursing presents The Road to Evidence-based Practice: Interpreting Research on Friday October 10 and 17, 2008, Trenton, NJ.
2. NCSBN – For Immediate Release – Kathleen Molden was selected as an item writer for NCSBN Licensure Examination.
3. September 2008 NCSBN – Scope of Practice of LPN/VNs Working in Dialysis Units
4. September 8, 2008, letter from David A. Swankin, Esq, President and CEO, Citizen Advocacy Center regarding the awarding of the Ben Shimberg Public Service Award to Polly Johnson, former Executive Director of the North Carolina Board of Nursing.
5. September 15, 2008, letter from Linda Lindeke, PhD, RN, CPNP, NAPNAP President, regarding the NAPNAP Age Parameters Position Statement.
6. September 19, 2008, letter from Joanne P. Robinson, PhD, GCNS, BC, Associate Professor and Chair (on sabbatical), Carol P. Germain, RN, EdD, FAAN, Visiting Professor/Acting Chair, and Bonnie Jerome-D'Emilia, RN, BSN, MPH, PhD, Visiting Assistant Professor, Rutgers Camden, College of Nursing regarding a petition for Bonnie Jerome D'Emilia, RN, BSN, MPH, PhD to teach generic undergraduate courses. The Board directed that an acknowledgement letter be sent to Rutgers Camden, College of Nursing.
7. September 29, 2008 – NCSBN Center for Regulatory Excellence Grant Program awards grants totaling more than \$1.7 million to eight U.S. organizations.
8. October 2008, letter from the Division of Consumer regarding recent changes to the format of New Jersey Prescription Blanks. N.J.S.A. 45:14-59 was amended.
9. October 5, 2008, article in the Los Angeles Time – Criminal past is no bar to nursing in California.

COMMITTEE REPORTS:

1. EDUCATION COMMITTEE: -

Connie Wilson reported: September 26, 2008 Committee Meeting

Session I Correspondence

May 19, 2008 – New Jersey Commission on Higher Education
Re: FYI: Holding its regular monthly meeting on May 23, 2008.
www.cahec.org

June 3, 2008 – Letter from Judith Mathews, RN, PhD, Dean, Muhlenberg Regional Medical Center Harold B. and Dorothy A. Snyder School
Re: FYI: Transfer of sponsorship of the Muhlenberg Regional Medical Center Harold B. and Dorothy A. Snyder Schools to JFK Medical Center, also a subsidiary of Solaris Health System effective June 1, 2008.

July 9, 2008 – Letter from Janice W. Leach
Re: Seeking to become an approved tutor for students that have failed the NLCEX-PN three times.

June 12, 2008 – Letter from Carole A. Baxter, RN, EdD, Bergen Community College
Re: FYI: Written notification that she has resigned her position as Director effective June 16, 2008.

June 30, 2008 – Letter from Helen W. Jones, RN, APN, C., PhD, Chairperson, Raritan Valley Community College.
Re: FYI: Announcing that Professor Carol Patterson will be the new chairperson as of July 1, 2008.

July 7, 2008 – E-mail from Jennifer Gallagher, Operations Manager, NCLEX Examinations Department NCSBN jennifer@njsna.org
Re: FYI: Rutgers Chancellor Steven J. Diner has announced the appointment of Dr. Lucille A. Joel as interim dean of the Rutgers College of Nursing effective immediately.

July 10, 2008 – Letter from Joan M. Cunningham, M.A., R.N, Dean, County College of Morris
Re: FYI: Announcing that Professor Leo Felix Jurado will become the new Chairperson of the Department of Nursing at County College of Morris, effective immediately.

July 28, 2008 – Letter from Janet K. Noles, PhD, RN, FNP-BC, FAANP, Dean and Associate Professor, Patty Hanks Shelton School of Nursing
Re: Seeking approval for their online students to complete their clinical hours in the State of New Jersey.

August 14, 2008 – E-mail from Silvia Pomponi, Commission Graduates of Foreign Nursing Schools.
Re: FYI: Article on Diploma mill and list of buyers of fraudulent degrees.

August 13, 2008 – Letter from William Swift, Area Case Director, New York/Boston Team, Federal Student Aid
Re: FYI: Eastwick College approval to participate in Federal Student Financial Aid Programs.

September 15, 2008- Commission on Collegiate Nursing Education (CCNE)
2008 Directory of Accredited Baccalaureate & Master's Degree Programs in Nursing.

2. Review of additional material

Capital Health School of Nursing – Self Study- requested materials have been received and need to be reviewed.

Holy Name Hospital School of Nursing (RN) – Self Study

The Committee reviewed the self-study submission from Capital Health System and requests the following revisions/clarifications:

The clinical agreements are not all complete as required by N.J.A.C 13:37-1.10(b)1-6, Maintaining accreditation; clinical agencies.

Missing Data

N.J.A.C. 13:37-10(b) 1. 2. 3. 4. 5. 6.

Agreements Review of the terms of the agreement;

Notice of termination of the agreement by either party at least 120 days prior to termination;

Faculty responsibility for student education;

Collaboration between faculty and clinical agency personnel in selecting clinical experiences;

Joint annual evaluation of the effectiveness of the clinical experience, with input from students;

A faculty to student ratio of at least one faculty member for every 10 students.

Sample X X (not clear) X X

St. Joseph X

Preakness X X X

Hackensack X

Valley Hosp. X X

Bergen Regional X X X

Christian HC X X X X

Summit Oak X X X

Trinitas Hosp. X X X

Note: (X)-indicates these regulatory requirements are missing in each contract.

3. Curriculum Changes

Vineland Public Schools (LPN)

Since Vineland Public School Practical Nursing program does not come under the jurisdiction of the Board of Nursing approval is not required, but rather the Board of Education. Staff will send a follow up letter.

Salem Community College (LPN)

The Committee reviewed the proposed curriculum change that Salem Community College submitted and requests the following revisions/clarifications.

Pursuant to regulation N.J.A.C. 13:37-1.26(e) 1-4 indicate that the following must be provided when requesting permission from the Board to change a curriculum.

1. The rationale for the proposed change in the curriculum;
2. A presentation of the differences between the current status of the program and the proposed change; [this can be done by developing a table in your instance]
3. A timetable for implementation of the change; and
4. A plan for the evaluation of the change which shall include outcomes.

Camden County College (LPN)

The Committee reviewed the proposed curriculum changes that Camden County College Licensed Practical Nurse program submitted and based on its review the Committee requests further revisions/clarifications.

A presentation of the differences between the current status of the program and the proposed change. Identify the number of theory and lab/clinical hours to enable the committee to better understand the credit allocation.

Center for Advanced Training And Studies (LPN)

The Committee reviewed the proposed curriculum change and requests the following

revisions/clarifications

REGULATION REVISION/CLARIFICATION

N.J.A.C. 13:37-1.16(e)

1. The rationale for proposed change in curriculum
2. A presentation of the differences between the current status of the program and the proposed change.
3. A timetable for implementation of the change; and
4. A plan for the evaluation of the change which shall include outcomes. Clearly plot out the differences between the current and proposed curriculum while providing rationales for each change.

This should be done by developing a table format illustrating which courses are involved and why the given change is being proposed.

Provide a projected timetable for implementation of the change; and a plan for the evaluation of the change which shall include outcomes.

Hohokus-Eastwick College (LPN)

The committee has deferred the proposed curriculum change until Eastwick College (LPN-to-RN Bridge Program - Phase I) revision is submitted.

4. CGFNS Credential Evaluation

July 21, 2008 – Letter from Irina Merfea-Warmbrand,

Re: Seeking re-evaluation of her CGFNS report.

In review of the documentation provided including the CGFNS report it indicates that she would be equivalent to an LPN in NJ. Staff will notify the applicant.

Session II – September 26, 2008 Committee Meeting

1. Session II Correspondence:

July 15, 2008 – Letter from Dr. Lionel Anicette, MD, President & CEO, AllCare Health Institute, Inc.

Re: Appealing the Board decision to reconsider the five (5) year waiting period before resubmission of a new application.

The Board, upon a motion made by Connie Wilson and duly seconded by Noreen D'Angelo, voted to affirm its decision regarding AllCare Health Institute, Inc. The motion carried.

New Program Application (Appearances)

PC Age Career Institute – LPN- (Part II)

No representatives appeared on behalf of PC Age Career Institute

b. Hohokus-Eastwick College – RN – (Phase I)

The Committee met with representatives from Eastwick College regarding the application to begin a new Associate Degree in Applied Science in Nursing (LPN-RN Bridge Program).

The application was well done, minor revisions needed to be made regarding the clarification of Program

Objectives. They were advised that if they provided the requested materials prior to the Board meeting, that the Board would review the recommendation.

The Board, upon a motion made by Connie Wilson and duly seconded by Sandra Austin-Benn, voted to approve Phase I of the Hohokus-Eastwick College, LPN- RN Bridge Program. The motion carried.

Revisions/Clarifications

BA Tech School (Brooks Alternative Technical School) LPN Part I The Committee reviewed the materials submitted by BA Tech School and requests BA Tech to revise the Organizational Chart to more clearly reflect the lines of authority and the administrative structure of the program.

The Board, upon a motion made by Connie Wilson and duly seconded by Sandra Austin-Benn, voted to approve Sessions I and II of the September 26, 2008 Education Committee Meeting. The motion carried.

2. NOMINATION COMMITTEE: -

Noreen D'Angelo reported:

The Nominating Committee will be meeting after November 1, 2008 to present the Board with recommended candidates for Board President and Secretary/Treasurer for the upcoming elections for 2009. Board members were requested to forward nominations to Noreen D'Angelo prior to November 1, 2008.

NEW BUSINESS:

Charles Manning, Regulatory Analyst discussed the following issues:

1. Massage, Bodywork and Somatic Therapy - clinical hours in curriculum proposal

After discussion, the Board upon a motion made by Noreen D'Angelo and duly seconded by Constance Wilson, voted to promulgate for proposal amendments to N.J.A.C. 13:37-16.4, recommended by the Massage, Bodywork and Somatic Therapy Examining Committee. The motion carried.

2. Nursing - student insurance proposal

After discussion, the Board upon a motion made by Irma Bojazi and duly seconded by Sandra Austin-Benn, voted to promulgate for proposal amendments to N.J.A.C. 13:37-1.11 Maintaining accreditation: criteria for student admission, promotion and completion of the program. The motion carried.

OPEN FORUM:

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

Josephine Sienkiewicz, MSN, RN, Director of Education and Clinical Practice, The Home Care Association of New Jersey – commented on the revised meeting schedule for the continuation of 2008 and 2009.

Russell R. Lynn, MSN, CRNA, President, New Jersey Association of Nurse Anesthetists, Associate Program Director, University of Pennsylvania School of Nursing – thanked the Board for its work with the CRNA applicants seeking APN certification. Mr. Lynn informed the Board that the website needed to be updated with the new APN regulations and Mr. Lynn requested that a letter be sent to him from the Board clarifying the language in the regulations.

Sharon Rainer, Deputy Director, NJSNA – thanked George J. Hebert for speaking at the Nurses Trenton event. Ms. Rainer requested clarification on the Board's position on the requirement of all RNs to obtain a BSN in 10 years.

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

OPEN SESSION RESUMED:

October 3, 2008 Disciplinary Minutes – reading and approval with amendments:

Page 3: I/M/O Raymond Beyerle – it should state: move to accept an interim consent order and a hearing is to be scheduled at the next available board meeting.

After discussion, the Board upon a motion made by Karen Rodriguez and duly seconded by Connie Wilson, voted to approve the Disciplinary Minutes of October 3, 2008 as amended. The motion carried.

After discussion, the Board upon a motion made by Karen Rodriguez and duly seconded by Connie Wilson, voted to go into closed session to discuss closed session items. The motion carried.

ADJOURNMENT:

On October 21, 2008 the Regular Open Board Meeting was adjourned at 11:30 a.m. The next Open Business Meeting will be held on December 5, 2008.

After discussion the Board, upon a motion made by Sandra Austin-Benn and duly seconded Connie Wilson, voted to adjourn the Regular Open Board meeting of October 21, 2008 at 11:30 a.m. The motion carried.

Respectfully Submitted,

Patricia Murphy
Board Secretary/Treasurer