

**NEW JERSEY STATE BOARD OF NURSING
MINUTES
REGULAR OPEN BOARD MEETING
NOVEMBER 16, 2004**

A meeting of the New Jersey State Board of Nursing was held on November 16, 2004 in the Somerset Conference Room, 6th Floor, 124 Halsey Street, Newark, New Jersey. Muriel M. Shore, Board Member called the meeting to order at 9:40 a.m.

ROLL CALL

BOARD MEMBERS PRESENT:

Ronald H. Carr
Noreen D'Angelo
Leo-Felix Jurado
Margaret M. Kirchhoff
Virginia McKenney
Muriel M. Shore
Nelson Tuazon
Cecilia West

Sylvia C. Edge arrived after the start of the meeting.

ALSO PRESENT:

George J. Hebert, Acting Executive Director, New Jersey Board of Nursing; Barbara Byers, Administrative Analyst and Deputy Attorney General; Ginger Provost.

NOT PRESENT:

Board Member(s): Maris A. Lown, Karen Rodriguez, and Veronica McGreevey.

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, 2004. A schedule of all 2004 Regular Open Board Meetings to be held during 2004 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 November 16, 2004 Regular Board Meeting Agenda with the following amendments:

Completion of the Criminal History Background Checks Report of the Nominating Committee

AFTER DISCUSSION, THE BOARD UPON A MOTION MADE BY CECILIA WEST AND DULY SECONDED BY NELSON TUAZON, VOTED TO APPROVE THE REGULAR BOARD MEETING AGENDA OF NOVEMBER 16, 2004 AS AMENDED. THE MOTION CARRIED.

SYLVIA EDGE, BOARD MEMBER WAS NOT PRESENT TO PARTICIPATE IN THE VOTE.

A reading and approval of the Open Regular Board Meeting Minutes of October 19, 2004.

AFTER DISCUSSION, THE BOARD UPON A MOTION MADE BY NELSON TUAZON AND DULY SECONDED BY MARGARET M. KIRCHHOFF, VOTED TO APPROVE THE OPEN REGULAR BOARD MEETING MINUTES OF OCTOBER 19, 2004. THE MOTION CARRIED.

REPORT OF THE BOARD PRESIDENT – MARIS LOWN:

No report.

REPORT OF THE EXECUTIVE DIRECTOR – GEORGE J. HEBERT:

George Hebert reported:

Work is continuing on the Forensic Nurse – Certified Sexual Assault applications. Work is continuing on the Massage, Bodywork and Somatic Therapy applications along with instructional information for the certification process. The Massage, Bodywork and Somatic Therapy Regulations have been published in the New Jersey Register on November 15, 2004 and are in effect from that date.

Approvals: For George Hebert to attend the NCSBN – Nurse Licensure Compact Workshop from December 5-7, 2004 in Arlington, VA.

AFTER DISCUSSION, THE BOARD UPON A MOTION MADE BY NELSON TUAZON AND DULY SECONDED BY SYLVIA C. EDGE, VOTED TO APPROVE THE ATTENDANCE OF THE EXECUTIVE DIRECTOR. THE MOTION CARRIED.

Board Members: Muriel M. Shore and Virginia McKenney, congratulated George J. Hebert on his appointment as the Executive Director of the New Jersey Board of Nursing.

Communication(s):

The Board received a notice from the New Jersey Commissioner of Health and Senior Services regarding the distribution of Influenza Vaccine.

2. The Board received a letter from the NJ Home Care Association regarding Delegation of Medication Administration. Although the Board tabled the issue in May 2004, the Home Care Association requests that the Board resume its pursuit.

AFTER DISCUSSION, THE BOARD UPON A MOTION MADE BY NELSON TUAZON AND DULY SECONDED BY SYLVIA C. EDGE, VOTED TO REFER THE NJ HOME CARE ASSOCIATION'S LETTER TO THE REGULATION COMMITTEE FOR FURTHER REVIEW. THE MOTION CARRIED.

COMMITTEE REPORTS:

1. BUDGET & FINANCE – Muriel M. Shore, Chairperson

No report.

EDUCATION COMMITTEE:

Leo-Felix Jurado, Chairman reported.

The committee met on November 16, 2004 to discuss the following issues:

Warren County Community College: Associate Degree Nursing Program

AFTER DISCUSSION, THE BOARD UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY

SECONDED BY CECILIA WEST, VOTED TO GRANT WARREN COUNTY COMMUNITY COLLEGE PRELIMINARY PERMISSION TO PURSUE THE DEVELOPMENT OF AN ASSOCIATE DEGREE PROGRAM. THE MOTION CARRIED.

BOARD MEMBER: SYLVIA C. EDGE RECUSED HERSELF FROM THE PROCEEDINGS.

The committee continues to work on the flow sheet and program evaluation tool.

America Health Care Inc.: Part I Application for Establishment of a Practical Nursing Program.

New Community Workforce Development Center: Provided the committee with new program initiatives to improve their programs.

Indiana State University, College of Nursing: Sent a letter to the Board requesting approval to offer a BS Track for LPN's through online courses to LPN's licensed in New Jersey. Committee will discuss this issue at a later date.

Salem Community College: Sent a letter to the Board with a request to pursue development of a LPN-RN Mobility Pathway.

Best Care Training Institute: Submitted materials requested by the committee regarding clarification of its PN Program.

Accreditation Self Study Review: The committee reviewed the following programs:

Rutgers, The State University (Newark Campus) The Committee accepted the position control sheets used to record faculty licensure. The Board acknowledges that the Rutgers, The State University of New Jersey (Newark), legal department will send a reply to the Board before the due date of September, 2005 addressing how the University will comply with the individual liability insurance requirement for each student. Raritan Valley Community College AFTER DISCUSSION, THE BOARD UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED BY NELSON TUAZON, VOTED THAT RARITAN VALLEY COMMUNITY COLLEGE ACCREDITATION BE RENEWED FOR 8 YEARS WITH THE FOLLOWING DIRECTIVES: N.J.A.C. 13:37-1.5(e), Provide documentation demonstrating the integrating of the organizing framework throughout the curriculum. N.J.A.C. 13:37-1.7(b), Faculty needs to attend additional programs. N.J.A.C. 13:37-1.9, Provide a copy of the response to the National League for Nursing Accreditation Commission. N.J.A.C. 13:37-1.10(b) 2, Maintaining accreditation; clinical agencies: Submit termination agreement showing compliance with N.J.A.C. 13:37-1.10(b)2, by September 1, 2005. N.J.A.C. 13:37-1.11(a) 7, Maintaining accreditation: criteria for student admission, promotion and completion of the program. Provide description of health services within thirty (30) days of notification. THE MOTION CARRIED.

Cumberland County Community College AFTER DISCUSSION, THE BOARD UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED BY CECILIA WEST, VOTED THAT CUMBERLAND COUNTY COMMUNITY COLLEGE BE RENEWED FOR 8 YEARS WITH THE FOLLOWING DIRECTIVES: N.J.A.C. 13:37-1.4(a) 4, Provide written policies and procedures used for promotion and retention within thirty (30) days of notification. N.J.A.C. 13:37-1.10(b) 5, Submit a copy of the revised agreement demonstrating compliance with N.J.A.C. 13:37-1.10(b) 5, by September 1, 2005. N.J.A.C. 13:37-1.11(a) 7, Provide description of health services within thirty (30) days of notification. THE MOTION CARRIED.

AFTER DISCUSSION, THE BOARD UPON A MOTION MADE BY NELSON TUAZON AND DULY SECONDED BY SYLVIA C. EDGE VOTED TO APPROVE THE REPORT AND THE RECOMMENDED ACTION BY THE EDUCATION COMMITTEE. THE MOTION CARRIED.

LEGISLATION COMMITTEE:

Ronald H. Carr, Chairman reported.

The committee met on October 19, 2004 to discuss the following bill:

Senate Bill 1930 – revises procedures for suspension or revocation of licenses for overdue child support. The Office of the Attorney General requested a routine response from the Board regarding this bill. It has been approved by the Senate and therefore the Board does not have to submit a response.

AFTER DISCUSSION, THE BOARD UPON A MOTION MADE BY RONALD H. CARR AND DULY SECONDED BY NELSON TUAZON, VOTED TO APPROVE THE REPORT OF THE LEGISLATION REVIEW PANEL OF OCTOBER 19, 2004. THE MOTION CARRIED.

Several of the members met to review an emergent bill – Assembly Bill 3436: Authorizes Commissioner of DHSS to permit out-of-state emergency health care providers to practice in the state during a declared public health emergency. A response was required prior to the next meeting date.

The members supported this bill for the following reasons:

This bill supports public safety and facilitates the acquisition of needed resources in cases of disasters and/or emergencies.

There needs to be a mechanism whereby health care providers are permitted to cross state lines in order to provide necessary health care services in a true emergency.

AFTER DISCUSSION, THE BOARD UPON A MOTION MADE BY RONALD H. CARR AND DULY SECONDED BY NELSON TUAZON VOTED TO RATIFY THE RECOMMENDATION OF THE LEGISLATION COMMITTEE. THE MOTION CARRIED.

PRACTICE COMMITTEE:

Nelson Tuazon, Chairman reported.

The committee met on November 5, 2004 to discuss the following issues:

2004 Committee Planning Flow Sheet

Correspondence:

January 14, 2004 – Letter from John F. McGrail, M.D. Issue: The Registered Professional Nurse's role in handing out sample psychotropic medications:

Action: A letter was sent on May 20, 2004 to Ms. Joanne Boyer, Executive Director of the New Jersey Board of Pharmacy on this issue. The letter was reissued on October 20, 2004 to seek feedback on this issue from the New Jersey Board of Pharmacy.

February 4, 2004 – Letter from Penny J. Smalley, RN, Technology Concepts International Issue: Whether Registered Nurses may use an Easytouch laser device to administer analgesia medications:

Action: A letter was sent to Ms. Penny J. Smalley on May 20, 2004 seeking clarification on the operation of the Easytouch laser. The letter was reissued on October 20, 2004 since no response had been received from Ms. Smalley. The Committee removed this issue from the agenda pending a response from Ms. Smalley.

April 12, 2004 – Letter from Janice Terlizzi, RN, MS, AOCN, Director of Oncology and Pain Management Services, Holy Name Hospital Issue: Whether RNs may write on a prescription pad:

Action: A letter was sent to Mr. William Roeder, Executive Director, New Jersey Board of Medical Examiners to obtain feedback on their regulations regarding who can write on prescription pads. The letter was reissued on

October 20, 2004 to seek feedback.

Mr. John Calabria, Director of the Certificate of Need and Acute Care Licensure Program, Department of Health and Senior Services responded to this issue in his letter dated June 24, 2004.

April 15, 2004 – Letter from Maryann P. Kicenuik, Partner, Riker Danzig, Scherer, Hyland, Perretti LLP, Attorneys at Law Issue: Whether RNs may order tests or administer medications within guidelines and protocols approved in advance by the medical staff.

Action: A letter was sent to Mr. John Calabria, Director of the Certificate of Need and Acute Care Licensure Program, for feedback regarding regulations of the New Jersey Department of Health and Senior Services. Mr. Calabria responded in his letter dated June 24, 2004. This issue is complete.

RN's Obtaining Written, Informed Consent

Nelson Tuazon discussed with the Committee the issue of Registered Professional Nurses obtaining written, informed consent for procedures to be performed on patients.

AFTER DISCUSSION, THE BOARD UPON A MOTION MADE BY NELSON TUAZON AND DULY SECONDED BY CECILIA WEST, VOTED THAT WHEN THE STANDARD OF PRACTICE REQUIRES A WRITTEN, INFORMED CONSENT FOR A PROCEDURE TO BE PERFORMED BY A NURSE ON A PATIENT, THE INDIVIDUAL NURSE PERFORMING THE PROCEDURE IS RESPONSIBLE FOR OBTAINING THE WRITTEN, INFORMED CONSENT. THE MOTION CARRIED.

Advanced Practice Nursing

Jeanne Martinez, RN, MPH, CHPN, President, NBCHPN, requested consideration of palliative care as an advanced practice nursing specialty in New Jersey. The Committee reviewed the request.

The Board of Nursing acknowledges that there are many specialties that offer Advanced Practice Nurses the opportunity to develop expertise in certain fields, including Palliative Care. The Board also recognizes the knowledge base of these specialties.

AFTER DISCUSSION, THE BOARD UPON A MOTION MADE BY NELSON TUAZON AND DULY SECONDED BY NOREEN D'ANGELO, VOTED TO REFER THIS ISSUE TO THE REGULATION COMMITTEE FOR FURTHER CLARIFICATION. THE MOTION CARRIED.

Unlicensed Practice of Medication Administration Karen Palardy, RN, BSN, Lebanon Borough Certified School Nurse, questioned whether a substitute school secretary may administer medications in the absence of the school nurse, under the direction of the school principal.

The Committee reviewed this correspondence and agreed to obtain more information on what the school policy states and any standards of practice for school nurses in delegating medication administration in the school setting.

Role of Registered Nurse in Dispensing Medications: Appearance George Hebert, Executive Director of the New Jersey Board of Nursing, received a letter dated September 18, 2004 with the names of eight (8) Registered Professional Nurses who apparently work at the Rutgers University College Health Centers for the New Brunswick/Piscataway campuses expressing concern about the Registered Nurses' responsibilities in dispensing medications at Willets College Health Center.

Dorothy Kozlowski, MS, APN, RN, C, Director of College Health Nursing at Rutgers appeared before the Practice Committee. Ms. Kozlowski reviewed the procedure for dispensing of medications when prescriptions are filled for students at the Rutgers College Health Centers. Each College Health Center has a pharmacist available during the day shift, except the Willets Health Center. Since there is no onsite pharmacy service at Willets Health

Center, the Rutgers Pharmacy stocks that health center with pre-packaged, labeled medications such as antibiotics, seven (7) day supply, as well as with starter doses. These medications are transported to Willets Health Center by courier. The Registered Nurses receive the student's prescriptions and adds the student's name and address to the pre-packaged medication already properly labeled by the pharmacist. The Registered Nurse reviews the medication including any side effects with the students before issuing the pre-packaged medication.

The Committee determined that the College Health Center is licensed by the New Jersey Department of Higher Education.

The Committee agreed to review this issue with the New Jersey Board of Pharmacy and the New Jersey Department of Higher Education for any regulatory issues. The dispensing of medications to students at the Willets Health Center will be further reviewed at the next available Committee Meeting.

The Committee reviewed the Board's prior action, in accordance with N.J.S.A 45: 11-23, "It is the considered opinion of the Board that administering pre-packaged drugs, a drug in its original container, or a single dose drug from an original container for a specific patient is accepted nursing procedure. However, if a nurse takes less than the entire quantity of a medication, re-labels several doses of it which has been put into new containers, that would constitute dispensing of medication which is not considered to be the practice of nursing."

AFTER DISCUSSION, THE BOARD UPON A MOTION MADE BY NELSON TUAZON AND DULY SECONDED BY RONALD H. CARR, VOTED THAT A FOLLOW-UP ACKNOWLEDGMENT LETTER, WITH A COPY OF THE LETTER THAT MR. HEBERT RECEIVED ON SEPTEMBER 29, 2004, BE SENT TO EACH NURSE WHOSE NAME WAS NOTED ON THE LETTER OF CONCERN DATED SEPTEMBER 18, 2004. THE MOTION CARRIED.

Administration of Medication by Child Care Workers for Remuneration in Child Care Centers in New Jersey Rita Giosa, RN, BSN, CCHCC, Child Care Coordinator, et. al. Health Consultant of Camden County Department of Health and Human Services, Division of Children, Pattie Lucarelli, RN, MSN, APN, C, CPNP, Child Care Health Consultant Coordinator, Care Services of Monmouth County requested a meeting, in their letter dated October 7, 2004 with the New Jersey Board of Nursing. Ms. Giosa and Ms. Lucarelli asked to discuss their concerns regarding medication administration to children in New Jersey child care centers by unlicensed untrained personnel where there are neither nurses, nor access to nurses. The Committee will schedule a thirty (30) minute appearance with Ms. Rita Giosa and Ms. Patti Lucarelli to discuss this issue at the next available Committee Meeting.

Advanced Practice Nurses and Registered Professional Nurses Signing off on Pre-employment Placement Screenings for Security and Baggage Screener Candidates for all U.S. Airports.

Josh McKillip, Logistics Manager of Comprehensive Health Services, Inc. sent a letter to Barbara Byers dated October 14, 2004 questioning whether Advanced Practice Nurses or Registered Professional Nurses may complete and sign off on onsite pre-employment placement screenings including vital signs, an audio test, vision tests, a physical abilities test, medical history and a medical questionnaire. Mr. McKillip stated that "There are customer approved standards that we follow. The medical professionals onsite make no diagnosis, perform no prescribing or creation of a treatment plan. If there is an anomaly that does not meet the established standard criteria, the candidate is then referred to a staff physician, and if the discrepancy cannot be resolved, the candidate would then be further evaluated. Further evaluation means they would be referred to a medical specialist or their own personal physician for final determination/clearance."

AFTER DISCUSSION, THE BOARD UPON A MOTION MADE BY NELSON TUAZON AND DULY SECONDED BY CECILIA WEST, VOTED TO SEND A LETTER TO MR. MCKILLIP INDICATING THAT IN ACCORDANCE WITH N.J.S.A. 45:11-49a. (1), ADVANCED PRACTICE NURSES MAY CONDUCT AND SIGN OFF ON ONSITE PRE-EMPLOYMENT PLACEMENT SCREENINGS. THE BOARD WILL REQUEST A COPY OF THE CUSTOMER APPROVED STANDARDS FOR THE PRE-EMPLOYMENT PLACEMENT SCREENINGS AND REVIEW THE STANDARDS AS THEY APPLY TO THE REGISTERED NURSE, AT THE NEXT AVAILABLE COMMITTEE MEETING. THE MOTION CARRIED.

Statutes and Regulations on Medical Light-Emitting Devices (Lasers)

Alan L. Voss, Business and Regulatory Consultant of AL Voss Associates, sent a letter to George Hebert, Executive Director, including a State Regulatory Summary on Light-Emitting Devices (Lasers) and information on laser technology. Mr. Voss stated that, “the regulation of these devices and procedures is currently in a very fluid condition. Three (3) states allow only a licensed medical doctor to perform procedures using laser devices.”

AFTER DISCUSSION, THE BOARD UPON A MOTION MADE BY SYLVIA C. EDGE AND DULY SECONDED BY LEO-FELIX JURADO, VOTED TO ACCEPT COMMENTS FROM THE PUBLIC REGARDING MEDICAL LIGHT-EMITTING DEVICES. THE MOTION CARRIED.

AFTER DISCUSSION, THE BOARD UPON A MOTION MADE BY NELSON TUAZON AND DULY SECONDED BY CECILA WEST, VOTED THAT ALAN L. VOSS’S CORRESPONDENCE BE FORWARDED TO THE NEW JERSEY BOARD OF MEDICAL EXAMINERS FOR REVIEW AND COMMENT. THE MOTION CARRIED.

BOARD MEMBER: LEO-FELIX JURADO WAS NOT PRESENT TO VOTE ON THIS MOTION.

AFTER DISCUSSION, THE BOARD UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED BY MARGARET M. KIRCHHOFF, VOTED TO APPROVE THE REPORT OF THE NURSING PRACTICE COMMITTEE MEETING OF NOVEMBER 5, 2004. THE MOTION CARRIED.

Nelson Tuazon, Board Member will be stepping down as Chairman of the Nursing Practice Committee and Cecilia West, Board Member will be assuming responsibility of Chair of the Practice Committee in January 2005.

REGULATION COMMITTEE:

Muriel M. Shore, Chairperson reported:

The committee met on November 9, 2004 to discuss the following issues:

The September 14, 2004 Regulation Committee minutes were approved with the following modifications.

New Business #6 APN Rules

The Committee requested that the minutes reflect that Governor McGreevey signed “S1078/A2807 – expands duties performed by Advanced Practice Nurses” on August 11, 2004. The law, known as P.L. (Public Law) 2004, c. (Chapter) 122, takes effect on November 9, 2004. The Board of Nursing will need to promulgate regulations to implement the new law.

Regulations Flow Sheet:

The Regulation Flow Sheet was reviewed and approved with the following modifications:

An “x” will be placed under “Director’s Office” for Mandatory Reporting Guidelines; An “x” will be placed under “Board” and “Director’s Office” for Conditional Accreditation and Probation; and An “x” will be placed under “Division of Law” for Sunset 2005.

Old Business:

APN Rules

The Committee discussed the proposed changes to the APN Rules for 13:37-6.3 through 13:37-[7.3]7.5 and will continue discussion of the remainder of the proposed changes at its next available Regulation Committee Meeting.

New Business:

APN/CRNA Rules

Cecilia West prepared a grid summarizing issues that need to be discussed regarding the APN rules. Topics identified include chaperones, prescribing of controlled drugs, office practices e.g. billing, advertising, corporate practice and conflict of interest.

AFTER DISCUSSION, THE BOARD UPON A MOTION MADE BY NELSON TUAZON AND DULY SECONDED BY MARGARET M. KIRCHHOFF, VOTED TO APPROVE THE REPORT OF THE REGULATION COMMITTEE MEETING NOVEMBER 9, 2004. THE MOTION CARRIED.

6. NOMINATING COMMITTEE

Virginia McKenney reported:

The committee has met and recommended that Maris Lown continue as Board President and Muriel M. Shore continue as Board Secretary/Treasurer. The recommendations will be discussed at the next Disciplinary Meeting.

AFTER DISCUSSION, THE BOARD UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED BY CECILIA WEST, VOTED TO APPROVE THE REPORT OF THE NOMINATING COMMITTEE. THE MOTION CARRIED.

OPEN FORUM:

Muriel M. Shore asked the public to share with the Board of Nursing any concerns, issues or questions:

Alma L. Saravia, Counsel for the New Jersey Association of Nurse Anesthetists (CRNA). Ms. Saravia shared information with the Board regarding the five-year effort challenging the New Jersey State Board of Medical Examiners regulations mandating that a CRNA will only be permitted to work in a physician's office under the supervision of a physician with anesthesia privileges or an anesthesiologist. Ms. Saravia received the decision from the Appellate Court and provided copies to the Board.

NJANA implores the Board to retain independent counsel so that the Board may intervene on behalf of NJANA and file a brief in support of NJANA's pending Petition for Certiorari to the New Jersey Supreme Court.

Josephine Sienkiewicz, Director of Education and Clinical Practice, New Jersey Home Care Association spoke on the correspondence she sent to the Board regarding the proposed regulations on Delegation of Medication Administration by Registered Nurses to Unlicensed Assistive Personnel.

Carolyn Torre, Director of Practice for New Jersey State Nurses Association, spoke on the Delegation of Medication Administration and the CRNA issue. Ms. Torre strongly urges the Board to voice an opinion regarding the Appellate Division. decision. Ms. Torre also spoke on the Physical Therapy statute and asked the Board to comment on the language.

Cathy Pavalkis, Middlesex County School of Practical Nursing, spoke about not requiring criminal history background checks for students.

Andrea Aughenbaugh, Chief Executive Officer, New Jersey State Nurses Association spoke on background checks for nurses, APN rules and congratulated George J. Hebert on his appointment as the Executive Director of the New Jersey Board of Nursing.

Angela Richman, New Jersey Association of Nurse Anesthetists, urges the Board to review the petition and speak out against the Board of Medical Examiners recommendation.

Barbara Tofani, New Jersey Hospital Association, spoke in support of the Delegation of Medication Administration.

ANNOUNCEMENTS:

Board Members Sylvia C. Edge and Leo-Felix Jurado received special recognition from the New Jersey State Nurses Association.

AFTER DISCUSSION, THE BOARD UPON A MOTION MADE BY NELSON TUAZON AND DULY SECONDED BY LEO-FELIX JURADO, VOTED TO GO INTO CLOSED SESSION TO DISCUSS DISCIPLINARY MATTERS, CRNA ISSUES AND COMPLAINTS AGAINST NURSING PROGRAMS. THE MOTION CARRIED.

OPEN SESSION RESUMED:

Urgent request for the New Jersey Board of Nursing to intervene before the Supreme Court: New Jersey Association of Nurse Anesthetists, Inc. v. New Jersey State Board of Medical Examiners Docket No. A-2729-02T2

AFTER DISCUSSION, THE BOARD UPON A MOTION MADE BY NOREEN D'ANGELO AND DULY SECONDED BY CECILIA WEST, VOTED TO DIRECT THE EXECUTIVE DIRECTOR TO IMMEDIATELY SEND A LETTER TO THE ATTORNEY GENERAL AND THE DIRECTOR OF THE DIVISION OF CONSUMER AFFAIRS INDICATING THAT DUE TO THE PERCEIVED CONFLICT OF INTEREST BETWEEN COUNSEL FOR THE BOARD OF MEDICAL EXAMINERS AND COUNSEL FOR THE BOARD OF NURSING, THE BOARD OF NURSING REQUESTS OUTSIDE LEGAL COUNSEL TO ADVISE AND REPRESENT THE BOARD OF NURSING TO BE HEARD AS AMICUS CURIAE BEFORE THE SUPREME COURT WITH REGARD TO THE NOVEMBER 3, 2004 APPELLATE DECISION: "NEW JERSEY STATE ASSOCIATION OF NURSE ANESTHETISTS, INC v NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS DOCKET # A-2729-02T2. THE MOTION CARRIED.

New Community Workforce Development Program

AFTER DISCUSSION, THE BOARD UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED BY CECILIA WEST, VOTED TO SEND A LETTER TO NEW COMMUNITY WORKFORCE DEVELOPMENT PROGRAM SEEKING VERIFICATION OF MS. ELLEN BODIE'S QUALIFICATIONS. THE MOTION CARRIED.

Best Care Training Institute

AFTER DISCUSSION, THE BOARD UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED BY CECILIA WEST, VOTED TO SEND A LETTER TO FLORENCE BROWN OF BEST CARE TO DETERMINE A DESCRIPTION OF THE ROLES OF THE SCHOOL DIRECTOR AND PROGRAM DIRECTOR AND THE IDENTITY AND POSITION OF THE PERSON WHO IS RUNNING THE NURSING PROGRAM. THE MOTION CARRIED.

Seton Hall University School of Nursing

AFTER DISCUSSION, THE BOARD UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED BY SYLVIA C. EDGE, VOTED TO PLACE SETON HALL UNIVERSITY, COLLEGE OF NURSING, ON CONDITIONAL ACCREDITATION BASED ON THE NCLEX REPORT SHOWING THAT LESS THAN 80% OF THEIR STUDENTS PASSED THE NCLEX. A LETTER WILL BE SENT TO THE SCHOOL. THE SCHOOL MUST SUBMIT AN ACTION PLAN IN 30 DAYS. THE MOTION CARRIED.

ADJOURNMENT:

On November 16, 2004 the Regular Open Business Board Meeting was adjourned at 2:50 p.m. The next Regular Open Business Meeting will be held on January 18, 2004.

Respectfully Submitted,

Muriel M. Shore
Secretary/Treasurer
