

NEW JERSEY STATE BOARD OF NURSING
MINUTES
OPEN BUSINESS MEETING
NOVEMBER 17, 2009

A meeting of the New Jersey State Board of Nursing was held on November 17, 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
Marietta Cahill
Noreen D'Angelo
Avery Hart

Joni Jones
Leo-Felix Jurado
Patricia Murphy
Constance Wilson

ALSO PRESENT:

George J. Hebert, Executive Director
Olga Bradford, Deputy Attorney General
Diane Scott, Administrative Staff
Charles Manning, Regulatory Analyst (to discuss regulation changes)
Mary Peterson, Supervisor of the Disciplinary Section

BOARD MEMBERS NOT PRESENT:

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 November 17, 2009: Reading and Approval with amendments:

- Add under Committee Reports – Nominating Committee.

After discussion the Board, upon a motion made by Noreen D'Angelo and duly seconded by Sandra Austin-Benn, voted to approve the Regular Open Board Meeting Agenda of November 17, 2009 as amended. The motion carried.

MINUTES:

Open Business Meeting Minutes of September 22, 2009: Reading and Approval:

After discussion the Board, upon a motion made by Constance Wilson and duly seconded by Sandra Austin-Benn, voted to approve the Regular Open Board Meeting Minutes of September 22, 2009. The motion carried.

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

Dr. Murphy reported:

- Dr. Murphy and George J. Hebert met with Barbara Wright, Interim Executive Director, New Jersey State Nurses Association to discuss nursing legislation.

REPORT OF THE EXECUTIVE DIRECTOR – GEORGE J. HEBERT:

George J. Hebert reported:

- Administrative Issues
 - Darlene Lapola, DAG for the Board has been reassigned to the Department of Treasury in Trenton. Olga Bradford, DAG has been assigned to the Board.
 - The Board has hired four permanent clerical staff positions.
- CGFNS - standards for professional nurse programs are expanding their services to include reviewing programs that are offered in Laos and Cambodia.
- The Counsel on Accreditation for Nurse Anesthesia Education Programs submitted a report on November 12, 2009 identifying continued accreditation for Our Lady of Lords Medical Anesthesia Program in Camden, New Jersey.
- Nurse Pilot Project - November 5, 2009 reported submitted by William Ditto, Director identifying that there are 21 agencies that are currently participating in the pilot project.

- Appearance – November 13, 2009 - George Hebert to attend a meeting at the College of New Jersey. December 4, 2009 - Constance Wilson to speak with the Pennsylvania Nurses Association. December 1, 2009 - Dr. Murphy and George J. Hebert to speak at the NJSNA Conference.

After discussion, the Board upon a motion made by Joni Jones and duly seconded by Sandra Austin-Benn, voted to approve the appearances of the Board President, Executive Director, and Board Member. The motion carried.

CORRESPONDENCE:

1. October 21, 2009 – letter from Kathleen G. Hoover, Ph.D., R.N., CNE, Dean, Division of Nursing and Health Sciences, Neumann University regarding a requested approval of the Pennsylvania State Board of Nursing to utilize a new clinical site for student learning experiences in New Jersey.
2. November 2009 – letter from Dr. Muriel Shore regarding an accelerated program being offered at Felician College.

After discussion, the Board upon a motion made by Noreen D'Angelo and duly seconded by Marietta Cahill, voted to refer the letter from Dr. Muriel Shore to the Education Committee for further review. The motion carried.

INFORMATIONAL PURPOSES:

1. October 16, 2009 – Commission of Higher Education regular monthly meeting agenda.
2. November 4, 2009 – Board of Medical Examiners Agenda and Minutes

COMMITTEE REPORTS:

1. **EDUCATION COMMITTEE:** -

Leo-Felix Jurado reported: October 20, 2009 Committee Meeting

1. Session I Correspondence:

February 25, 2009 –Letter from Neddie V. Serra, EdD, RN Chairperson Presbyterian Division of Nursing, Bloomfield College. www.bloomfield.edu
Re: Joint Program Students in Korea.

Staff will send letter to Bloomfield College asking them if the students will obtain the degree from Bloomfield College.

May 27, 2009 – Letter from Patrice Fleming, Team Leader, Federal Student Aid, School Participation Team – New York/Boston.

www.FederalStudentAid.ed.gov

Re: Reporting Requirements OPE ID: 04134100

This issue was on the agenda for informational purposes.

July 7, 2009 – Letter from Gary Achilles, Executive Director, Lincoln Technical Institute, Mt. Laurel, campus.

Re: Effective June 15, 2009, Ms. Ladawna R. Leeth, RN, MSN, has joined the team of Lincoln Technical's Mt. Laurel's Campus as Director of the practical nursing program.

Staff will send acknowledgement letter

(Pass Around Material) July 20, 2009 – Letter from Tiera Beisinger, Director for Corporate Relations at Josef Silny & Associates, Inc. www.jsilny.com

Re: To provide information about our Foreign Credential Evaluation and Translation Services.

Staff will bring survey results from other state boards of nursing to the next education committee meeting.

July 20, 2009 – Letter from Michelle L. Foley, MA, RN, CNE Director of Nursing Education, Charles E. Gregory School of Nursing.

Re: The official closing date for the Charles E. Gregory School of Nursing, Raritan Bay Medical Center, Perth Amboy, New Jersey is July 31, 2009.

This issue was on the agenda for informational purposes

July 21, 2009 – Letter from Dr. Mustafa Mustafa, Vice President for Academic Affairs. Eastern International College www.eicollege.edu

Re: Certificate of Approval by the New Jersey Commission on Higher Education, which has approved our institution to operate as a college.

Staff will send acknowledgement letter asking if Eastern International College has been approved for nursing.

July 22, 2009 – Letter from Doug Johnson, Campus Director, Prism Career Institute. www.prismcareerinstitute.com

Re: To announce the promotion of Mrs. Lynne M. Valente, MSN/Ed, RN, to Director, Practical nursing program. This promotion was effective October 6, 2008.

Staff will send acknowledgement letter

July 23, 2009 – Letter from Dr. Yemi Oladimeji, President of America Health Care, Inc. FYI: Janine Malave resigned her Director position without proper notification

according to the contract. Her last day was July 17, 2009. She is being replaced by Anna Johnson as Acting Director of nursing.

Staff will send letter stating that Anna Johnson is not qualified. Also, have available the number of students who are left, when they were admitted, and when they will graduate. They are also in violation of the regulation.

(Pass around material) Bulletin from Span Tran Educational Services.

Re: Span Tran's ability to evaluate credentials for the New Jersey Board of Nursing. Span Tran would like to be considered as a resource for applicants that require an evaluation of foreign credentials.

Staff will bring survey results from other state boards of nursing to the next education committee meeting.

July 31, 2009 – Letter from Sharon J. Tanner, EdD, RN, Executive Director, National League for Nursing Accrediting Commission, Inc. (NLNAC)

Re: A summary of actions taken by the (NLNAC) during its meeting on July 8-9, 2009.

This issue was on the agenda for informational purposes.

August 3, 2009 – Letter from Kenneth Williams, Director Instructional Support Services at Morris County School of Technology.

Re: Staff change – Miriam Faber has accepted another position within the school district and no longer serves as the supervisor for the practical nurse education program. The new supervisor is Shari Castelli.

Staff will send an acknowledgement letter

August 11, 2009 – Letter from Mary G. Schaal, RN, EdD, Dean and Professor for Jefferson School of Nursing. www.mary.schaal@jefferson.edu

Re: The Thomas Jefferson University Board of Trustees approved reorganization of the University. Effective July 1, 2009 the Jefferson College of Health Professions was dissolved.

Staff will send an acknowledgement letter

September 2, 2009 – Letter from Dr. Joan Carter, Director of Adult & Continuing Education, Passaic County Technical Institute.

Re: To inform you that Passaic County Technical Institute's licensed practical nursing program is expanding. We are adding an evening component.

This issue was on the agenda for informational purposes.

September 11, 2009 – Letter from Dr. Saunders, EdD, RN, CNE, Dean of Helene Fuld School of Nursing.

Re: Intent of sponsoring agencies to transition nursing programs from a hospital based program to an entry-level BSN program under new sponsorship with a local university.

Staff will send out a new program packet.

September 9, 2009 – Letter from Mark Ampofo, B.Ed, Achievers Group, LLC
Re: Expressing intent to establish a PN program.

Staff will send moratorium letter

September 29, 2009 – Letter from Mary E. Kelley, MSN, MEd, RN, CNE, ANEF
Dean, Trinitas School of Nursing.
Re: Trinitas School of Nursing has relocated to the Kellogg Building 40-48 W. Jersey Street Room 324 Elizabeth, NJ 07202.

Staff will send an acknowledgement letter

October 8, 2009 – Letter from Mary E. Kelley, MSN, MEd, RN, CNE, ANEF
Dean, Trinitas School of Nursing.
Re: Trinitas School of Nursing is planning to reopen its weekend program effective January 2010.

Staff will send an acknowledgement letter

October 7, 2009 – Letter from Louise DeBlois, Director Mountainside Hospital
Re: Mountainside Hospital has entered into a partnership agreement with Caldwell College that will result in the creation of a Bachelor of Science (BSN) nursing program and that the Mountainside Hospital School of Nursing program will be terminated.

Staff will send out a new program packet for Phase I and Phase II

2. Site Visit Report

a. Pinelands

The Committee discussed the Self-Study report. The following revisions and clarifications were made: (Self-study report, page 10) N.J.A.C. 13:37-1.4(a) Maintaining accreditation: organization and administration of a nursing program. 1. There are no written criteria for faculty promotion and retention. 2. A policy and procedure needs to be developed addressing faculty promotion and retention. (Self-study report, page 27) N.J.A.C. 13:37-1.7(b) 1, 2 Maintaining accreditation: faculty qualifications. 1. A column needs to be inserted that contains information reflecting the specific areas of teaching responsibility. 2. Individual faculty sheets should be provided that reflects their credentials, their assignments and their individual plan for professional development relative to their area(s) of responsibility, approved by the program director. The

educational programming should reflect areas of continuing education that the faculty persons are anticipating, attending, supportive of their teaching responsibilities. There should be an individual faculty sheet prepared for each academic year. (Self-study report, page 44) N.J.A.C. 13:37-1.8(e) Maintaining accreditation: curriculum organization and content. 1. There needs to be a description of how students are included in curriculum evaluation and ongoing development. 2. There needs to be a description of how the clinical agencies are contributing to curriculum evaluation and ongoing development. (Self-study report, page 48) N.J.A.C. 13:37-1.8(g) 3. Maintaining accreditation: curriculum organization and content. There needs to be a clarification of the difference between the 46 week time frame for the day program versus the 54 week time frame for the evening program.

After discussion, the Board upon a motion made by Sandra Austin-Benn and duly seconded by Constance Wilson, voted to approve the recommendations of the Education Committee. The motion carried.

Leo-Felix Jurado, Board Member recused himself from the proceeding in this matter.

b. Lincoln Tech, Edison campus

The Committee reviewed and discussed the site visit report conducted by Mr. George J. Hebert, MA, RN Executive Director and request the following revisions and clarifications: (1) Pertinent regulations N.J.A.C. 13:37-1.4(a)4. The written criteria for faculty promotion and faculty retention. (2) Faculty qualifications N.J.A.C. 13:37-1.7, Mr. Gottshall is aware of the need for faculty to maintain competence in the area they are teaching and has agreed to focus on this when evaluating faculty in November. (3) Pertinent regulations N.J.A.C. 13:37-1.8 Curriculum organization and content. (4) N.J.A.C. 13:37-1.10 Clinical agencies. The Committee recommends that the Board continue to monitor this facility.

After discussion, the Board upon a motion made by Leo-Felix Jurado and duly seconded by Irma Bojazi, voted to approve the recommendations of the Education Committee. The motion carried.

Session II Committee Report

1. Curriculum Changes:

a. Rutgers Camden:

The Committee reviewed and recommends that the Board grant approval on the revision of their curriculum change. Board staff will send out a congratulations letter. Staff will send letter requesting the requirement of their program objectives and have them start working on their systematic evaluation plan.

After discussion, the Board upon a motion made by Leo-Felix Jurado and duly seconded by Constance Wilson, voted to approve the recommendations of the Education Committee. The motion carried.

2. REGULATION COMMITTEE:

Irma Bojazi reported: October 20, 2009 Committee Meeting

Old Business:

1. N.J.A.C. 13:37-14: Homemaker-Home Health Regulations

The Committee reviewed and discussed amendments N.J.A.C. 13:37-14, which requires that a homemaker-home health aide shall only perform nursing tasks delegated by a registered professional nursing. The rule also requires that a registered professional nurse shall document in the nursing care plan every task that has been delegated to a homemaker-home health aide. After a registered professional nurse has performed the initial assessment and before the homemaker-home health aide provides any services both individual shall review the nursing care plan and initial the assessment before the CHHA provides services. Discussion ensued and was tabled until the next meeting. Charles Manning, Regulatory Analyst will explore the curriculum for homemaker-home health aide training program and provide additional information at the next meeting.

New Business:

1. NCSBN Model Rules: Re: APRN Title

The Committee reviewed and discussed Standard Titles and Abbreviations for APRNs that are being recognized by National Council of State Board of Nursing. Discussion was tabled until the next meeting. George J. Hebert, Executive Director will conduct a survey and provide additional information on how other states are implementing the APRN title.

2. Companion – Definition and Delegation

The Committee reviewed and discussed “companion” which is an undefined term used to refer to unlicensed people. The Board does not regulate companions and at this time the Committee determined that there is no need to further address this issue.

Correspondence:

1. August 10, 2009 – Letter from Bill Reitsma, Director of Clinical Services, New Jersey Organ and Tissue Sharing Network, Inc. <https://www.sharenj.org> .

Re: To develop program(s) and resources to fully comply with the educational content requirements.

Staff will send a letter expressing the Board's appreciation that the New Jersey Organ and Tissue Sharing Network collaborated with the Boards on organ donation education rule.

After discussion, the Board, upon a motion made by Leo-Felix Jurado and duly seconded by Noreen D'Angelo, voted to approve the Regulation Committee Report of October 20, 2009. The motion carried.

3. NOMINATING COMMITTEE:

Noreen D'Angelo reported:

The Committee met on November 6, 2009 to discuss the electing of officers for the 2010 calendar year. A discussion ensued regarding re-electing Dr. Patricia Murphy as Board President and Leo-Felix Jurado as Secretary/Treasurer.

After discussion, the Board voted to re-elect Dr. Patricia Murphy as Board President and Leo-Felix Jurado as Secretary/Treasurer.

NEW BUSINESS:

Charles Manning, Regulatory Analyst discussed the following matters:

1. N.J.A.C. 13:37-1.2, Application for establishment of a new program in nursing.

After discussion, the Board upon a motion made by Irma Bojazi and duly seconded by Sandra Austin-Benn, voted to approve the adopted amendments to N.J.A.C. 13:37-1.2. The motion carried.

2. N.J.A.C. 13:37-1.11, Maintaining accreditation: criteria for student admissions, promotion and completion of the program.

After discussion, the Board upon a motion made by Irma Bojazi and duly seconded by Noreen D'Angelo, voted to approve the adopted amendments to N.J.A.C. 13:37-1.11. The motion carried.

OPEN FORUM:

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

- Kathleen Gialanella, Esq. – commented on the Alternative to Discipline regulations.

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

OPEN SESSION RESUMED:

DISCIPLINARY CASES:

- a. I/M/O – Robert Lane, LPN

DAG Bradford provided detailed information on this matter.

A letter was sent to Mr. Lane to answer to allegations filed in an administrative complaint. Mr. Lane did not file an answer to the allegations until after the 30-day period and therefore DAG Bradford is seeking an entry of default.

After discussion the Board, upon a motion made by Noreen D’Angelo and duly seconded by Marietta Cahill, voted to deny the motion of default and to accept the answer. The motion carried.

After discussion the Board, upon a motion made by Leo-Felix Jurado and duly seconded by Irma Bojazi, voted to go into open session to record the answer on the record. The motion carried.

ADJOURNMENT:

On November 17, 2009 the Regular Open Board Meeting was adjourned at 11:35 a.m. The next Regular Board Meeting will be held on February 16, 2010.

After discussion the Board, upon a motion made by Irma Bojazi and duly seconded Noreen D’Angelo, voted to adjourn the Regular Open Board meeting of November 17, 2009 at 11:35 a.m. The motion carried.

Respectfully Submitted,

Leo-Felix Jurado
Secretary/Treasurer