

NEW JERSEY STATE BOARD OF NURSING
MINUTES
OPEN BUSINESS MEETING
FEBRUARY 16, 2010

A meeting of the New Jersey State Board of Nursing was held on February 16, 2010 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
Noreen D'Angelo
Jonathan Hress
Nicole Milan-Tyner

Patricia Murphy
Luz Ramos
Karen Rodriguez
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)
Joanne Leone, Deputy Attorney General

BOARD MEMBERS NOT PRESENT:

Marietta Cahill
Avery Hart
Joni Jones

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 December 1, 2009. A schedule of all 2010 Regular Open Board Meetings to be held during 2010 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 February 16, 2010: Reading and Approval with amendments:

- Correspondence #4 – should state: December 1, 2009 – letter from Nadine Mileski, Chairperson, LPN Forum – New Jersey State Nurses Association informing the Board of the re-appointment of Constance Wilson to the Collaborating Center for Nursing Board as a consultant.

After discussion the Board, upon a motion made by Connie Wilson and duly seconded by Sandra Austin-Benn, voted to approve the Regular Open Board Meeting Agenda of February 16, 2010 as amended. The motion carried.

MINUTES:

Open Business Meeting Minutes of November 17, 2009: Reading and Approval:

After discussion the Board, upon a motion made by Noreen D'Angelo and duly seconded by Connie Wilson, voted to approve the Regular Open Board Meeting Minutes of November 17, 2009. The motion carried.

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

Dr. Murphy reported:

- Dr. Murphy met with Sharon Joyce, Acting Director, New Jersey Division of Consumer Affairs to discuss disciplinary matters.

REPORT OF THE EXECUTIVE DIRECTOR – GEORGE J. HEBERT:

George J. Hebert reported:

- 2009 CHHA renewal period – as of December 2, 2009 there were 31,463 CHHAs renewed.
- 2010 Renewal for LPNs, RNs, and APNs – notices will be going out in March. Nurses will be encouraged to renew their licenses online. Paper renewals will be available upon request by calling the automated number.
- New Jersey will be participating in a survey sponsored by NCSBN and New Jersey Nursing Collaborative Center – will be collecting workforce data in order to address the issue of the nursing shortage.

- February 11, 2010 email from the National League for Nursing regarding an Audio-Web Seminars that brings cutting edge faculty development programs right to the nursing program.
- February 11, 2010 email from Kathy Thomas, MN, RN, Executive Director, Texas Board of Nursing regarding a “Texas jury acquits nurse who complained of doctor”.
- January 19, 2010 email from CGFNS regarding new officers and members that were recently elected to the Board of Trustees of CGFNS International.
- On February 26, 2010 The Education Committee Sub-Committee Meeting will meet again to review the nursing education regulations in view of the evolutionary changes that are occurring in nursing education it may be necessary to make changes to the current education regulations.
- NCSBN G4 Exam report

INFORMATIONAL PURPOSES:

1. January 27, 2010 – Press Release from the New Jersey Foundation for Aging regarding a new law to protect vulnerable seniors.
2. January 20, 2010 – NCSBN Testing Policy for U.S. Sanctioned Country Candidates
3. January 13, 2010 – New Jersey State Board of Medical Examiners Agenda and Minutes
4. December 1, 2009 – letter from Nadine Mileski, Chairperson, LPN Forum – New Jersey State Nurses Association informing the Board of the re-appointment of Constance Wilson to the Collaborating Center for Nursing Board.
5. December 2009 – letter from Beryl Meiron, Executive Director, Amy Carter, Marketing Manager, and Richard Halstead, Regional Manager US Test Center Network, IELTS regarding testing centers.
6. October 1, 2009 – letter from Sandra Lee Schafer, RN, MN, AOCN, Director of Certification, NBCHPN regarding their certification programs.

COMMITTEE REPORTS:**1. EDUCATION COMMITTEE: -****George Hebert reported: December 15, 2009 Committee Meeting**

1. Session I Correspondence:
 - a. November 10, 2009 – Faculty Development Bulletin from NLN Professional Development. (National League for Nursing)
Re: Core Competencies of Nurse Educators with Task Statements.

This issue was on the agenda for informational purposes.

- b. October 12, 2009 – Letter from Claudia Houston, MSA, BSN, RN, School Administrator, Universal Training Institute, Inc.
Re: Requesting permission to open another site in Lakewood, NJ in January 2010.

Staff will send acknowledgement letter .

- c. November 13, 2009 – Letter from Lisa Schultz, MSN, RN, NCLEX Content Associate. (National Council of State Boards of Nursing)
Re: Report of Findings from the 2009 LPNVN Practice Analysis: Linking the NCLEX- PN Examination to Practice.

This issue was on the agenda for informational purposes.

- d. November 19, 2009 – Letter from Dr. Jennifer Butlin, Director, Commission on Collegiate Nursing Education (CCNE)
Re: Adverse Action Notice

This issue was on the agenda for informational purposes.

- e. November 19, 2009 – Email from Kathleen Rohrbaugh
Re: U.S. Department of Homeland Security reauthorizes CGFNS to certify foreign- born health care workers.

This issue was on the agenda for informational purposes

- f. October 12, 2009 – Letter from Dr. Gil Linne, Dean, College of Health and Human Services University of Phoenix
Re: A look to enhance your skills and to offer an up to date curriculum to gain relevant skills

This issue was on the agenda for informational purposes.

- g. December 3, 2009 – Email from National Council of State Boards of Nursing (NCSBN)
Re: NCLEX joins Facebook and Twitter

This issue was on the agenda for informational purposes.

- h. October 27, 2009 – Letter from Carol Fasano, MA, RN, NPC, CNE, Dean, Christ Hospital School of Nursing
Re: Proposal for a Cooperative Program with Monmouth University

2. Sexual Assault Nurse Examiner

- The College of New Jersey

Deferred till the January 19, 2010 Education Committee meeting.

3. Discussion:

- Moratorium (*New Practical Nursing Program Application*)
- Program codes for multiple sites. **After discussion, the Board upon a motion made by Luz Ramos and duly seconded by Connie Wilson, voted that if one school has multiple sites, that each site will be treated separately. Each site will be provided with its own NCLEX code for Board evaluation purposes. The motion carried.**

Session II Committee Report

1. Curriculum Changes:

- a. Kean University and Muhlenberg Harold B. and Dorothy A. Snyder School of Nursing.

This was on the agenda for informational purposes.

- b. Ramapo College of New Jersey

The committee reviewed and discussed Ramapo College of New Jersey's curriculum changes and made the following recommendation: The committee approved the curriculum changes and will accredit them from March 2009 through March 2017.

After discussion, the Board upon a motion made by Connie Wilson and duly seconded by Sandra Austin-Benn, voted to approve the curriculum change of Ramapo College of New Jersey. The motion carried.

2. CGFNS: Course by Course Report

- a. Nadia Marie Wint

Re: Foreign credential evaluation report for applicants seeking licensure in New Jersey by Endorsement.

The committee discussed and reviewed Nadia Marie Wint CGFNS Credential Evaluation Service (CES) Full Education Course-by-Course Report. Applicant is seeking licensure by endorsement and she received her nursing education in a foreign country.

After discussion, the Board upon a motion made by Karen Rodriguez and duly seconded by Sandra Austin-Benn, voted that licensure be granted to Nadia Marie Wint as the applicant has taken and successfully passed the NCLEX-RN Examination in another sister state and currently hold active license in such state. The motion carried.

January 19, 2010 Committee Meeting:**Session I:**

1. Session I Correspondence:

- a. December 1, 2009 – Letter from Carol A. Mohrfeld, RN, MSN, Chairperson, Nursing Division, Atlantic Cape Community College www.atlantic.edu
Re: Returned from medical leave and resumed position as Chairperson.

This issue was on the agenda for informational purposes.

- b. December 4, 2009 – Letter from Dr. Marlys Bohn, PhD, RN, South Dakota State University.
Re: Dean Roberta Olson, PhD, RN, will be the coordinator and will oversee the refresher courses.

This issue was on the agenda for informational purposes.

- c. December 9, 2009 – Letter from Dr. William Holzemer, RN, PhD, FAAN, Rutgers, College of Nursing.
Re: Change in leadership at the College of Nursing, Rutgers

This issue was on the agenda for informational purposes.

- d. December 9, 2009 – Letter from Gary Altman, Director, Department of Labor and Workforce Development.
Re: Certificate of Approval for Com-Tec Institute

This issue was on the agenda for informational purposes.

- e. December 10, 2009 – Letter from Denise M. Tate, EdD, RN, APN, Interim Director Prelicensure Program. UMDNJ School of Nursing. www.umdj.edu
Re: Proposal for an accelerated part-time baccalaureate in nursing(ABSN)evening program for the School of Nursing at UMDNJ

After discussion, the Board upon a motion made by Connie Wilson and duly seconded by Luz Ramos, voted to approve the UMDNJ part-time evening baccalaureate nursing program. The motion carried.

- f. December 15, 2009 – Letter from Gary Achilles, Executive Director, Lincoln Technical Institute, Mt. Laurel, NJ.
Re: Mr. Timothy Inverso, RN, MSN, CEN will serve as Interim Director

This issue was on the agenda for informational purposes.

- g. December 17, 2009 – Article from The Chronicle of Higher Education.

Re: Inspector General's warning to accreditor raises fears among for-profit institutions.

This issue was on the agenda for informational purposes.

Session II:

1. Curriculum Changes:

- a. Christ Hospital School of Nursing

Deferred until the March 16, 2010 Education committee meeting.

2. New Program Application (*Appearances*)

- a. Caldwell College

The Education Committee met with representatives from Caldwell College and reviewed Part I of the application to establish a new BSN program in nursing.

After discussion, the Board upon a motion made by Sandra Austin-Benn and duly seconded by Connie Wilson, voted to approve part I of the application process for Caldwell College and to begin working on Part II of the application process to establish a new BSN program. The motion carried.

- b. Medical Career Institute

The Education Committee met with representatives from Medical Career Institute and reviewed Part I of the application to establish a new licensed practical nursing program.

After discussion, the Board upon a motion made by Sandra Austin-Benn and duly seconded by Connie Wilson, voted to approve part I of the application process for Medical Career Institute and to begin working on Part II of the application process to establish a new license practical nursing program. The motion carried.

After discussion, the Board, upon a motion made by Noreen D'Angelo and duly seconded by Sandra Austin-Benn, voted to approve the Education Committee Reports of December 15, 2009 and January 19, 2010. The motion carried.

2. REGULATION COMMITTEE:

Karen Rodriguez reported: December 15, 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. 13:37-14.3 that would require a registered professional nurse to review a plan of care with a certified homemaker-home health aide who has been newly assigned to a patient. The registered professional nurse must meet with the certified homemaker-home health aide if the nurse determines that the aide is prepared to perform the tasks in the plan of care.

New Business:

1. N.J.A.C. 13:37-5.2

Biennial license renewal

The committee reviewed a comment the regarding amendments to N.J.A.C. 13:37-5.2

2. N.J.A.C. 13:37-5.6

Responsibilities of licensure

A licensee shall be held to the level of practice associated with his or her licensure, either as a registered professional nurse or licensed practical nurse, regardless of his or her employment status. For example, when a registered nurse is employed as a licensed practical nurse, he or she will be held to the standards of a registered professional nurse.

The committee reviewed and discussed amendment N.J.A.C. 13:37-5.6 and has decided to meet with some of the CNOs (Chief Nursing Officer) to further discuss this issue and maybe develop some interpretive guidance that could disseminate to all of the healthcare organizations.

3. Sunset

This issue will be discussed at the next available Regulation Committee meeting.

January 19, 2010 Committee Meeting:**Old Business:**2. N.J.A.C. 13:37-14: Homemaker- Home Health Regulations

The Committee reviewed and discussed amendments N.J.A.C. 13:37-14 that would: set forth when a registered professional nurse is required to meet with a certified homemaker-home health aide; require program coordinators to attend a Board orientation; require applicants for certification as homemaker-home health aides to

complete a Board competency examination; require that homemaker-home health aide education programs include a review of Board statutes and regulations; prohibit certified homemaker-home health aides from engaging in sexual misconduct; and impose prohibitions on certified homemaker-home health aides obtaining power of attorney over patients.

Chuck Manning will revise draft amendments to N.J.A.C. 13:37-14 and bring these revisions to the next Committee meeting.

3. N.J.A.C. 13:37-5.6: Responsibilities of licensure

(NJHA representatives will discuss with committee)

The committee reviewed and discussed amendments to N.J.A.C. 13:37-5.6 with Teresa DiElmo from SBHCS, Diann Johnston from SBHCS and Ruben Fernandez from PMC. Chuck Manning will work on amendments to N.J.A.C. 13:37-5.6 and bring these to the next Committee meeting.

Discussion items:

1. Sunset

The committee deferred the discussion until the next Regulation Committee meeting which is scheduled for March 16, 2010. The committee will review and discuss possible amendments to the rules.

After discussion, the Board, upon a motion made by Noreen D'Angelo and duly seconded by Luz Ramos, voted to approve the Regulation Committee Reports of December 15, 2009 and January 19, 2010. The motion carried.

NEW BUSINESS:

Charles Manning, Regulatory Analyst discussed the following matter:

1. N.J.A.C. 13:37-5.2

Biennial license renewal

The Board reviewed and discussed a comment regarding amendments to N.J.A.C. 13:37-5.2

After discussion, the Board upon a motion made by Sandra Austin-Benn and duly seconded by Jonathan Hress, voted to adopt the amendments to N.J.A.C. 13:37-5.2 as proposed.

OPEN FORUM:

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

- Robert Hentges – commented on information that was submitted to the Board regarding his wife and the circumstances surrounding her case.

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 disciplinary matters and nursing programs. The motion carried.

OPEN SESSION RESUMED:**SITE VISIT:**

George Hebert reported:

- a. Pineland School of Practical Nursing & Allied Health, Inc.

A site visited was conducted on January 12, 2010 to determine if the program is eligible for full accreditation.

After discussion the Board, upon a motion made by Sandra Austin-Benn and duly seconded by Nicole Milan-Tyner, voted to grant full accreditation with conditions. The motion carried.

DISCUSSION:

- a. Lincoln Technical Institute

The Committee received a request from Lincoln Tech to open a new location in Mahwah, NJ.

Representatives from Lincoln Technical Institute appeared before the Board to provide additional information about improvement plans for the program.

After discussion the Board, upon a motion made by Sandra Austin-Benn and duly seconded by Karen Rodriguez, voted to deny the request of Lincoln Tech until all three sites have pass rates above 75%. The motion carried.

ADJOURNMENT:

On February 16, 2010 the Regular Open Board Meeting was adjourned at 1:00 p.m. The next Regular Board Meeting will be held on April 20, 2010.

After discussion the Board, upon a motion made by Jonathan Hress and duly seconded Karen Rodriguez, voted to adjourn the Regular Open Board meeting of February 16, 2010 at 1:00 p.m. The motion carried.

Respectfully Submitted,

Patricia Murphy
Board President