

**NEW JERSEY STATE BOARD OF NURSING
MINUTES
REGULAR OPEN BOARD MEETING**

MAY 18, 2004

A meeting of the New Jersey State Board of Nursing was held on May 18, 2004 in the Somerset Conference Room, 6th Floor, 124 Halsey Street, Newark, New Jersey. Maris Lown, Board President, called the meeting to order at 9:30 a.m.

ROLL CALL

PRESENT

Board Members: Noreen D'Angelo, Leo-Felix Jurado, Virginia McKenney, Maris Lown, Veronica McGreevey, Nelson Tuazon, Sylvia C. Edge, Cecilia West, Margaret M. Kirchhoff, Muriel M. Shore and Ronald H. Carr.

ALSO PRESENT

George J. Hebert, Acting Executive Director, New Jersey Board of Nursing; Barbara Byers, Administrative Analyst, 1Charles Manning, Regulatory Analyst, Division of Consumer Affairs; Deputy Attorney(s) General: Darlene Lapola and Ginger Provost.

2Sharon Joyce, Assistant Attorney General attended the meeting to discuss the proposal of the Advance Practice Nurse/CRNA Rules.

NOT PRESENT

Board Member: 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 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 May 18, 2004 Regular Board Meeting Agenda as amended. To include discussion of matters pertaining to personnel matters.

THE BOARD, UPON A MOTION MADE BY MURIEL M. SHORE AND DULY SECONDED BY NELSON TUAZON, VOTED TO APPROVE THE REGULAR BOARD MEETING AGENDA OF MAY 18, 2004 AS AMENDED. THE MOTION CARRIED.

A reading and approval of the February 17, 2004 Regular Board Meeting Minutes with corrections.

THE BOARD, UPON A MOTION MADE BY MURIEL M. SHORE AND DULY SECONDED BY NELSON TUAZON, VOTED TO APPROVE THE MINUTES OF THE REGULAR BOARD MEETING OF FEBRUARY 17, 2004 WITH CORRECTIONS. THE MOTION CARRIED.

A reading and approval of the Addendum to the February 17, 2004 Regular Board Meeting Minutes.

THE BOARD, UPON A MOTION MADE BY MURIEL M. SHORE AND DULY SECONDED BY NELSON TUAZON, VOTED TO APPROVE THE ADDENDUM TO THE FEBRUARY 17, 2004 REGULAR BOARD MEETING MINUTES. THE MOTION CARRIED.

A reading and approval of the Executive Session Minutes of the February 17, 2004 Regular Board Meeting Minutes.

THE BOARD, UPON A MOTION MADE BY MURIEL M. SHORE AND DULY SECONDED BY NELSON TUAZON, VOTED TO APPROVE THE EXECUTIVE SESSION MINUTES OF THE FEBRUARY 17, 2004 REGULAR BOARD MEETING. THE MOTION CARRIED.

A reading and approval of the March 16, 2004 Regular Board Meeting Minutes with corrections.

THE BOARD, UPON A MOTION MADE BY CECILIA WEST AND DULY SECONDED BY SYLVIA C. EDGE, VOTED TO APPROVE THE REGULAR BOARD MEETING MINUTES OF MARCH 16, 2004 WITH CORRECTIONS. THE MOTION CARRIED.

A reading and approval of the Executive Session Minutes of the March 16, 2004 Regular Board Meeting.

THE BOARD, UPON A MOTION MADE BY MURIEL M. SHORE AND DULY SECONDED BY NELSON TUAZON, VOTED TO APPROVE THE EXECUTIVE SESSION MINUTES OF THE MARCH 16, 2004 REGULAR BOARD MEETING. THE MOTION CARRIED.

REPORT OF THE BOARD PRESIDENT – MARIS LOWN:

Maris Lown reported:

The Search Committee is in the final stages of applicant interviews for the position of Executive Director of the NJ Board of Nursing. The Search Committee will interview approximately four to six candidates during the month of June and will report back to the Board at a later date.

REPORT OF THE ACTING EXECUTIVE DIRECTOR – GEORGE J. HEBERT:

George J. Hebert reported:

Updated information regarding the 2004 license renewal: 80% of the nurses have been renewed. The walk-in process for nurses who have not received their renewal forms in the mail started on Monday, May 17, 2004 for Newark and Trenton offices.

Discussion of a letter from the New Jersey Hospital Association with a proposal for a pilot project looking at the use of Baccalaureate prepared faculty for clinical purposes.

The Educational Rule Proposal addressing the NCLEX pass rate and provisional status has been submitted for publication. The comment period will end July 16, 2004.

The Acting Executive Director has been invited to attend a meeting of the Nurse Recruiters of the New Jersey Hospital Association on May 19, 2004.

COMMUNICATION:

Memo dated May 7, 2004 from Sandra Dick, DAG in response to a letter that the Board sent regarding CHHA Issues. (to be discussed in closed session)

Letter dated April 5, 2004 from Linda Cuoco, NJ League of Nursing Maureen Swick, ONE/NJ and Geraldine Moon, NJHA regarding nursing education and the preparation of faculty. This letter will be sent to the Education Committee for review.

Letter dated April 2004 from Maris Lown to Donna Dorsey, NCSBN regarding the decision of NCSBN to allow licensed practicing nurses who are here on a temporary visa and who were not required by their respective states to pass the NCLEX examination, to sit for the NCLEX retroactively.

THE BOARD, UPON A MOTION MADE BY MURIEL M. SHORE AND DULY SECONDED BY LEO-FELIX JURADO, VOTED FOR APPROVAL OF THE LETTER FROM THE BOARD PRESIDENT TO BE SENT TO DONNA DORSEY, NCSBN. THE MOTION CARRIED.

Letter dated March 30, 2004 from Joan Capobianco-Owens, BSN, RN, PHN regarding "Nurses" jobs at risk with FTAA.

News Release from CGFNS offering two Special Administrations of the CGFNS Certificate Program Qualifying Exam in 2004 for Trade NAFTA Nurses.

Letter dated March 2, 2004 from Gary Carter, FACHE, NJHA regarding the "Nurse Multistate Licensure Compact". (an acknowledgement will be sent)

COMMITTEE MINUTES:

BUDGET & FINANCE:

No report.

NURSING EDUCATION: April 13, 2004 Report.

Leo-Felix Jurado reported on the following issues:

New Program Tracking Sheet

Merit Technical Institute, N.J.A.C. 13:37-1.2 Proposal for Development of a New Practical Nursing Program. A letter has been sent to the program requesting more information.

Comtrain Institute, N.J.A.C. 13:37-1.2 Proposal for Development of a New Practical Nursing Program.

Medix Vocational School, N.J.A.C. 13:37-1.2 Proposal for Development of a New Practical Nursing Program.

Bloomfield College Accreditation Self Study Review

Mercer County Community College Accreditation Self Study Review

Salem Community College Action Plan for NCLEX-PN

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED BY NELSON TUAZON, VOTED TO APPROVE THE ACTION PLAN OF SALEM COMMUNITY COLLEGE. THE MOTION CARRIED.

The HoHoKus School of Business & Medical Sciences request regarding Palisades General Medical Center becoming an affiliated partner.

microTECH Training Center proposed establishment of Diploma Nursing Program at Clara Mass Hospital. A letter was sent to microTECH indicating that its sponsoring agreement does not meet the sponsorship

requirements of N.J.A.C. 13:37-1.1-5.

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED BY NELSON TUAZON, VOTED TO DENY microTECH TRAINING CENTER TO PURSUE DEVELOPMENT OF A DIPLOMA PROGRAM. THE MOTION CARRIED.

International University of Nursing, LLC interested in establishing a campus in New Jersey. A letter will be sent to the university acknowledging receipt of their request.

College of Saint Elizabeth planning to institute an accelerated nursing cohort program in August of 2004.

The committee reviewed various correspondences for informational purposes. THE BOARD, UPON A MOTION MADE BY CECILIA WEST AND DULY SECONDED BY SYLVIA C. EDGE, VOTED TO APPROVE THE APRIL 13, 2004 REPORT OF THE EDUCATION COMMITTEE. THE MOTION CARRIED.

April 27, 2004 Report:

New Program Tracking Sheet

The Center for Allied Health & Nursing Education, N.J.A.C. 13:37-1.2 Proposal for Development of a New Practical Nursing Program.

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED BY SYLVIA C. EDGE, VOTED TO GRANT PROVISIONAL ACCREDITATION TO THE CENTER FOR ALLIED HEALTH & NURSING EDUCATION. THE MOTION CARRIED.

Phoenix instructors teaching in New Jersey

Thomas Edison State College, Licensure requirements for faculty teaching online courses.

THE BOARD, UPON A MOTION MADE BY SYLVIA C. EDGE AND DULY SECONDED BY NOREEN D'ANGELO, VOTED THAT FACULTY WHO HOLD A LICENSE IN ANOTHER STATE AND WHO ARE TEACHING IN AN ONLINE DISTANCE RN TO BSN NEW JERSEY PROGRAM WHERE NO CLINICAL SUPERVISION AND NO ONSITE TEACHING PRESENCE ARE REQUIRED, ARE NOT REQUIRED TO HOLD A NEW JERSEY RN LICENSE. THE MOTION CARRIED.

BOARD MEMBER: LEO-JURADO RECUSED HIMSELF FROM THE PROCEEDINGS.

America Health Care, Inc. NJ, N.J.A.C. 13:37-1.2 Proposal for Development of a New Practical Nursing Program. A letter has been sent to the program requesting for information.

Bloomfield College Accreditation Self Study Review (Deferred to the next available Education Committee Meeting)

Mercer County Community College Accreditation Self Study Review (Deferred to the next available Education Committee Meeting)

College of Saint Elizabeth plans to institute an accelerated nursing cohort program in August of 2004.

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED BY SYLVIA C. EDGE VOTED TO APPROVE THE COLLEGE OF SAINT ELIZABETH ACCELERATED NURSING COHORT PROGRAM. THE MOTION CARRIED.

The College of New Jersey School of Nursing - BSN Curriculum Plan (Deferred to the next available Education Committee Meeting)

microTECH Training Center practical nursing program Action Plan. (Deferred to the next available Education Committee Meeting)

Harrison Career Institute proposed development of a Satellite practical nursing program at their Clifton New Jersey Campus. (Deferred to the next available Education Committee Meeting)

Review new Practical Nursing Program evaluation tool (Deferred to the next available Education Committee Meeting)

Correspondence: (deferred to the next available Education Committee Meeting)

THE BOARD, UPON A MOTION MADE BY RONALD H. CARR AND DULY SECONDED BY NOREEN D'ANGELO, VOTED TO APPROVE THE APRIL 27, 2004 REPORT OF THE EDUCATION COMMITTEE. THE MOTION CARRIED.

May 11, 2004 Report:

New Nursing Program Tracking Flow Sheet

Bloomfield College Accreditation Self Study Review A letter will be sent requesting additional information.

Accreditation of Upper Division Baccalaureate Degree Nursing Program for Registered Nurses Status of RN to BSN Review in light of Sunset Regulations. This issue has been referred to the Regulatory Committee for review before any Board action.

The College of New Jersey School of Nursing – Revised BSN Curriculum Plan

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED BY CECILIA WEST, VOTED TO APPROVE THE COLLEGE OF NEW JERSEY SCHOOL OF NURSING NURB-BSN REVISED CURRICULUM PLAN AND COMMENDS THE PROGRAM DIRECTOR FOR CLARITY OF THE WRITTEN MATERIALS. THE MOTION CARRIED.

Review Revised Nursing Program Application Evaluation Tool (Deferred to the next available Education Committee Meeting)

microTECH Training Center – Practical Nursing Program Action Plan: The committee received microTECH Training Center's action plan and requested that a written report addressing the outcomes of the action plan be submitted to the Board by September 6, 2004 submission.

Correspondence: reviewed for informational purposes.

Merit Technical Institute, Proposal for Development of a New Practical Nursing Program, (N.J.A.C.13:37-1.2)

In accordance with the requirements of N.J.A.C. 13:37-1.2, application for establishment of a nursing program, the Committee requested and received the following information:

Program objectives reflect competencies required of graduates to begin practice as Licensed Practical Nurses, and that the competencies be reflected in the Graduate and Employer Surveys. The Systematic Plan of Program Evaluation identify the measurement criteria to evaluate the program outcomes.

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED BY SYLVIA C. EDGE, VOTED TO GRANT PROVISIONAL ACCREDITATION TO MERIT TECHNICAL INSTITUTE, PROPOSAL FOR DEVELOPMENT OF A NEW PRACTICAL NURSING PROGRAM. THE MOTION CARRIED.

Mercer County Community College Accreditation Self Study Review A letter will be sent requesting additional

information.

Phoenix University instructors teaching in New Jersey This issue has been deferred back to the Education Committee.

Harrison Career Institute proposed development of a Satellite Practical Nursing Program at their Clifton New Jersey Campus.

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED BY CECILIA WEST, VOTED IN ACCORDANCE WITH N.J.A.C. 13:37-1.3 PROVISIONAL ACCREDITATION, TO DENY EXPANSION OF THE HARRISON CAREER INSITUTE'S SATELLITE PRACTICAL NURSING UNTIL THE PROGRAM HAS COMPLIED WITH N.J.A.C. 13:37-1.3(b):

GRADUATED ITS FIRST CLASS EIGHTY PERCENT OF THE GRADUATES HAVE PASSED THE FIRST NCLEX EXAMINATION, AND A SELF-STUDY REPORT HAS BEEN SUBMITTED TO THE BOARD REFLECTING FULL COMPLIANCE OF THE PROGRAM WITH THE REQUIREMENTS OF N.J.A.C. 13:37-1.4 THROUGH 1.11.

THE MOTION CARRIED.

The committee received a letter dated May 5, 2004 from Evangeline T. Smith. Ms. Smith is trying to get into a nursing program, graduated from high school in Africa where the high school records have been burned in result of the war. The committee received a letter from one of her instructors in Nigeria confirming her completion of high school along with notarized copy of her high school diploma.

THE BOARD, UPON A MOTION MADE BY SYLVIA C. EDGE AND DULY SECONDED BY CECILIA WEST, VOTED TO CONFIRM THAT MS. SMITH HAS COMPLETED A HIGH SCHOOL EDUCATION. THE MOTION CARRIED.

microTECH Training Center, Application for Establishment of a Professional Nursing Diploma Program

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED BY SYLVIA C. EDGE, VOTED TO DENY THE APPLICATION OF MICROTECH TRAINING CENTER FOR ESTABLISH MENT OF A REGISTERED PROFESSIONAL NURSING DIPLOMA PROGRAM DUE TO FAILURE TO MEET THE REQUIREMENTS OF N.J.A.C. 13:37-1.1(c) 5. THE MOTION CARRIED.

On May 10, 2004 an email received from Cyndy Hayes, Director of Education, West Virginia Board of Examiners. Ms. Hayes is requesting information from the Board of Nursing asking whether it is permitted for graduate nursing students to teach in an undergraduate nursing education program as part of their requirement to complete an MSN in nursing education?

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED BY VERONICA MCGREEVEY, VOTED THAT A QUALIFIED FACULTY MEMBER SHOULD BE IDENTIFIED WHILE MSN NURSING STUDENTS PRACTICE OR TEACH IN AN UNDERGRADUATE NURSING EDUCATION AND TO MAINTAIN A 1:10 FACULTY – STUDENT RATIO. THE MOTION CARRIED.

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED BY CECILIA WEST, VOTED TO APPROVE THE REPORT OF THE EDUCATION COMMITTEE MEETING OF MAY 11, 2004. THE MOTION CARRIED.

3. LEGISLATIVE REVIEW PANEL:

Ronald H. Carr reported.

On April 30, 2004 the committee received a request to review Assembly 826. This bill includes advanced practice nurses among medical professionals authorized to examine or treat certain individuals under labor laws.

It was determined that the same bill, Assembly Bill 3007, had been filed previously, and there had been a response prepared by the committee at that time.

The committee commented that the amendments now meet the current practice standards because it enables advanced practice nurses to give physicals to minors and people with physical disabilities under the Department of Health Regulations. It also expands consumer access to obtain the needed services of the advanced practice nurse.

THE BOARD, UPON A MOTION MADE BY RONALD H. CARR AND DULY SECONDED BY VERONICA MCGREEVEY, VOTED TO RATIFY THE RESPONSE ON ASSEMBLY BILL 826. THE MOTION CARRIED.

The committee met with Burt Lieberman, Legislative Liaison, Division of Consumer Affairs, May 18, 2004 to discuss the procedure of reviewing bills. The committee requested that it be kept apprised of what is provided to Trenton on the Board's position, when a request is made for activity on each bill by the Governor's office. They are looking at coming up with a periodic report that is due monthly or semi-monthly whereby they list all of the bills and the status of those bills.

4. NURSING PRACTICE:

No report.

5. REGULATORY COMMITTEE:

Muriel M. Shore reported.

The committee met on the following days:

April 13, 2004 Report:

Alma Saravia, Angela Richman and Carolyn Torre presented to the Committee their concerns regarding the draft APN Regulations N.J.A.C. 13:37 Subchapter 7. The Regulatory Committee reviewed the proposed changes to 13:37-6.3 and Subchapter 7, and made some changes

Committee Regulations Flow Sheet was updated.

Medication Delegation Rule

This issue was discussed and will be continued at the next available committee meeting.

Continuing Education

This issue was discussed and will be continued at the next available committee meeting.

Mandatory Reporting: Guidelines for Reporting

This issue was discussed and will be continued at the next available committee meeting.

Board of Directors of NCSBN re: NCLEX

Letter dated April 2004 from Maris Lown to Donna Dorsey, NCSBN regarding the decision of NCSBN to allow licensed practicing nurses who are here on a temporary visa and who were not required by their respective states to pass the NCLEX examination, to sit for the NCLEX retroactively.

THE BOARD, UPON A MOTION MADE BY MURIEL M. SHORE AND DULY SECONDED BY LEO-FELIX JURADO, VOTED FOR APPROVAL OF THE LETTER FROM THE BOARD PRESIDENT TO BE SENT TO DONNA DORSEY, NCSBN. THE MOTION

A Study of Educational Requirements for Certified Nursing Assistants in Maine This issue was discussed and will be continued at the next available committee meeting.

May 4, 2004 Report:

Committee Regulations Flow sheet was reviewed.

Mandatory Reporting: Guidelines for Reporting

As a priority, the committee is working on guidelines for mandatory reporting and has added several full day meetings to accomplish this in a timely manner. Deputy Attorney Kathryn Schwed is working with the committee due to her expertise in this area.

Medication Rule

This issue was discussed and will be continued at the next available committee meeting.

Continuing Education

This issue was discussed and will be continued at the next available committee meeting.

Delegation Rule

This issue will be discussed at the next available committee meeting.

CRNA Regulations

This issue will be discussed at the next available committee meeting.

A Study of Educational Requirements for Certified Nursing Assistants in Maine This issue will be discussed at the next available committee meeting.

May 11, 2004 report:

Regulation Committee Flow Sheet was reviewed.

Medication Delegation

This issue was discussed and will be recommended to the Board for approval.

Continuing Education

This issue was discussed and will be recommended to the Board for approval.

Mandatory Reporting: Guidelines for Reporting

This issue will be discussed at the next available committee meeting.

Delegation Rule

This issue will be discussed at the next available committee meeting.

CRNA Regulations

This issue was discussed and will be recommended to the Board for approval.

A Study of Educational Requirements for Certified Nurse Assistants in Maine This issue was discussed and the committee recommended this issue be added to the Regulatory Committee Flow Sheet.

Correspondence:

April 28, 2004 – Letter from L. McKiban, CRNA, MS, President
American Association of Nurse Anesthesia

Re: Pain Management Fellowship

This issue will be discussed at the next available committee meeting.

THE BOARD, UPON A MOTION MADE BY MURIEL M. SHORE AND DULY SECONDED BY NELSON TUAZON, VOTED TO APPROVED THE REPORTS OF THE REGULATORY COMMITEET MEETINGS OF APRIL 13, 2004, MAY 4, 2004 AND MAY 11, 2004. THE MOTION CARRIED.

OLD BUSINESS:

Charles Manning along with Sharon Joyce, Deputy Attorney General discussed with the Board the CRNA rules.

Proposal– Advanced Practice/CRNA Rules (changes)

THE BOARD, UPON A MOTION MADE BY CECILIA WEST AND DULY SECONDED BY VERONICA MCGREEVEY, VOTED TO APPROVE THE PROPOSED REGULATIONS AS AMENDED RELATING TO THE ADVANCED PRACTICE/CRNA RULES. THE MOTION CARRIED.

Proposed - Continuing Education

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED BY SYLVIA C. EDGE, VOTED TO APPROVE THE PROPOSED CONTINUING EDUCATION RULES AS AMENDED. THE MOTION CARRIED.

Preposal - Delegation of the Administration of Medications

THE BOARD, UPON A MOTION MADE BY RONALD H. CARR AND DULY SECONDED BY MURIEL M. SHORE, VOTED TO TABLE THE PREPOSAL FOR THE DELEGATION OF THE ADMINISTRATION OF MEDICATION RULE. THE MOTION CARRIED.

BOARD MEMBERS: LEO-FELIX JURADO AND SYLVIA C. EDGE WERE NOT PRESENT FOR THE PROCEEDINGS.

THE BOARD, UPON A MOTION MADE BY NELSON TUAZON AND DULY SECONDED BY RONALD H. CARR, VOTED TO GO INTO CLOSED SESSION TO DISCUSS PERSONNEL MATTERS AND TO REVIEW COMPLAINTS AGAINST NURSING PROGRAMS. THE MOTION CARRIED.

ADJOURNMENT:

On May 18, 2004 the Regular Open Business Board Meeting was adjourned at 2:15 p.m. The next Regular Open Business Meeting will be held on June 15, 2004.

THE BOARD, UPON A MOTION MADE BY RONALD H. CARR AND DULY SECONDED BY NELSON TUAZON, VOTED TO ADJOURN THE REGULAR BOARD MEETING OF MAY 18, 2004. THE MOTION CARRIED.

Respectfully Submitted,

Muriel M. Shore
Secretary/Treasurer
