

NEW JERSEY STATE BOARD OF NURSING
MINUTES
OPEN BUSINESS MEETING
NOVEMBER 5, 2010

A meeting of the New Jersey State Board of Nursing was held on November 5, 2010 in the Somerset Conference Room, 6th Floor, 124 Halsey Street, Newark, New Jersey. Noreen D'Angelo, Board Member called the meeting to order at 2:10 p.m.

ROLL CALL

BOARD MEMBERS PRESENT:

Saundra Austin-Benn
Noreen D'Angelo
Jonathan Hress

Joni Jones
Luz Ramos
Constance Wilson

ALSO PRESENT:

George J. Hebert, Executive Director
Olga Bradford, Deputy Attorney General
Diane Scott, Administrative Staff
Mary Peterson, Supervisor, Disciplinary Section
Charles Manning, Regulatory Analyst

BOARD MEMBERS NOT PRESENT:

Avery Hart
Patricia Murphy

Karen Rodriguez
Elenita Talavera

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 November 5, 2010: Reading and Approval:

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 November 5, 2010. The motion carried.

MINUTES:

Open Business Meeting Minutes of April 20, 2010 and June 15, 2010: Reading and Approval:

After discussion, the Board upon a motion made by Luz Ramos and duly seconded by Joni Jones, voted to approve the Regular Open Board Meeting Minutes of April 20, 2010 and June 15, 2010. The motion carried.

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

No Report

REPORT OF THE EXECUTIVE DIRECTOR – GEORGE J. HEBERT:

George Hebert reported:

- The Division of Consumer Affairs has implemented a new call center that will answer incoming calls for the Boards to allow staff to devote time to other important matters.
- The Division of Consumer Affairs has also contracted with a company that would scan all applications that come into the Boards to eliminate the waste of paper and this process it would make it easier for staff to retrieve and review files.
- On November 8, 2010 the Department of Health and Senior Services will be having a hearing on their regulations.
- There is a new requirement for all Boards to respond consumer complaints within 120 days of receipt of the complaint.

INFORMATIONAL PURPOSES:

1. June 9, 2010 – Board of Medical Examiners Agenda and Minutes.
2. June 18, 2010 – email from NJSNA regarding “Shortage of Epinephrine Emergency Syringes.
3. June 21, 2010 – memo from COAA regarding Reports of Actions.
4. June 23, 2010 – letter from Marilyn Ricci, RN, MS, CNS, CNRN, ABNC Board President regarding the introduction of the Accreditation Board of Specialty Nursing Certification.

5. June 29, 2010 – email from NLN Communication regarding Reflections & Dialogue: Master's Education in Nursing.
6. July 23, 2010 – One Minute Summary of the New Jersey Commission on Higher Education Meeting.
7. July 30, 2010 – letter from Carolyn Torre, MA, APN, Director of Regulatory Affairs, regarding comments on amendments to the Board of Nursing rules: N.J.A.C. 13:37-5.2; Biennial License Renewal.
8. September 15, 2010 – memo from Karen J. Wells, Supervisor, Administrative Rules Unit, Department of Corrections regarding Proposed Amendments at N.J.A.C. 10A:10-3.17 and 5.4, Release/Return of Transferred Inmate; Exceptions to the Mandatory Use of the Uniform Criminal Extradition Act.

APPEARANCE:

1. Susan McDermott, Project Director, Nurse Delegation Pilot Project, gave a detailed presentation on the history of project and how the data obtained will assist in the decision making process regarding nurse delegation.

Ms. McDermott asked the Board for continued support of the Nurse Delegation Pilot Project along with allowing nurses to delegate the administration of medication to CHHAs.

2. Jennifer Farnham, Senior Research Analyst, gave a detailed presentation on the findings of the Nurse Delegation Pilot Project. Ms. Farnham also provided the findings of a survey that was conducted on nurses in Washington State.

After discussion, the Board upon a motion made by Sandra Austin-Benn and duly seconded by Connie Wilson, voted to continue support of the Nurse Delegation Pilot Project until April 11, 2011 at which time a report will be provided to the Board for review. The motion carried.

NEW BUSINESS:

Charles Manning, Regulatory Analyst will discuss the following items:

1. Executive Order 2 - which requires all State agencies to identify regulations that impede responsible economic development. These recommendations included changes to: N.J.A.C. 13:37-1.3 and 1.19 that set forth how a nursing education programs pass rate on NCLEX will be calculated; N.J.A.C. 13:37-1.5 to delete a provision that dictates topics in a nursing education programs philosophy; N.J.A.C. 13:37-1.7 to require nursing faculty physically located in another state to hold a license in another state; N.J.A.C. 13:37-1.16 to delete a requirement that nursing education programs notify the Board of reorganization of credit allocation; N.J.A.C. 13:37-14.3 to allow certified homemaker-home health aides to administer medications pursuant to a delegation from a registered professional nurse; and N.J.A.C. 13:37-14.6 to delete the provision that requires certified homemaker-home health aide education programs to have a program sponsor.

After discussion, the Board upon a motion made by Sandra Austin-Benn and duly seconded by Connie Wilson, voted to approve the recommendations for Executive Order 2 which will be sent to the Director of the Division of Consumer Affairs. The motion carried.

2. FNCSA Renewal Adoption - Chuck Manning reviewed N.J.A.C. 13:37-9.8 which was proposed on June 7, 2010 at 42 N.J.R. 1000(a). The new rule sets standards for the renewal of FN-CSA certification. The Board received no comments on the proposed new rule.

After discussion, the Board upon a motion made by Sandra Austin-Benn and duly seconded by Connie Wilson, voted to adopt the FNCSA Regulations. The motion carried.

3. CHHA amendments - Review of amendments to the rules governing certified homemaker-home health aides was deferred to the next Board meeting.

4. Reinstatement and working in another state - The Board reviewed the comments to N.J.A.C. 13:37-5.2 which were proposed on June 7, 2010 at 42 N.J.R. 999(a). The amendments allow a nurse who has been administratively suspended for more than five years to reinstate his or her license without re-taking NCLEX as long as the nurse worked in another state during the period of suspension. The Board received one comment on the amendments.

After discussion, the Board upon a motion made by Joni Jones and duly seconded by Luz Ramos, voted to adopt the amendments to N.J.A.C. 13:37-5.2 without change. The motion carried.

5. Organ donation adoption - The Board reviewed amendments to N.J.A.C. 13:37-1.8 and 5.3 which were proposed on June 21, 2010 at 42 N.J.R. 1132(a). The amendments require registered professional nursing education programs to include content on organ donation in their curriculum. The amendments also require licensed registered professional nurses to take a continuing education course in organ donation. The Board received one comment on the amendments.

After discussion, the Board upon a motion made by Connie Wilso and duly seconded by Sandra Austin-Benn, voted to adopt the amendments to N.J.A.C. 13:37-1.8 and 5.3 without change. The motion carried.

6. Readoption of rules – The Board reviewed the readoption of Board rules which was proposed on July 19, 2010 at 42 N.J.R. 1481(a). The Board received two comments on the readoption.

After discussion, the Board upon a motion made by Luz Ramos and duly seconded by Joni Jones, voted to adopt N.J.A.C. 13:37 as proposed. The motion carried.

7. Responsibility of licensure proposal – The Board reviewed amendments to N.J.A.C. 13:37-5.6 which would clarify the intent of the rule which is to ensure that nurses are held to the standards associated with their licensure status.

After discussion, the Board upon a motion made by Luz Ramos and duly seconded by Joni

Jones, voted to adopt N.J.A.C. 13:37-5.6 as proposed. The motion carried.

8. Department of Health and Senior Services proposal to delete CRNA supervision language and replace with joint protocol collaboration

After discussion, the Board upon a motion made by Connie Wilson and duly seconded by Joni Jones, voted to submit a comment to the Department of Health and Senior Services. The motion carried.

COMMITTEE REPORTS:

1. EDUCATION COMMITTEE: -

Sandra Austin-Benn reported: October 1, 2010 Committee Meeting

1. Session I Correspondence:

- a. April 27, 2010 – Letter from Dr. Mary Ann Faralli, EdD, RN, MSN, MBA, CCRN, Director of Nursing, Lincoln Technical Institute, Mt. Laurel campus.
Re: The assessment, the plan of action, the program will employ to correct the 2009 NCLEX results which was less than the required 75% pass rate.

After discussion, the Board upon a motion made by Sandra Austin-Benn and duly seconded by Connie Wilson, voted to send a letter to Lincoln Technical Institute, Mt. Laurel Campus requiring the school to submit additional information to the Board within 90 days. The motion carried.

- b. April 29, 2010 – Letter from William Gottshall, MA, RN, NEA-BC, Director of Nursing, Lincoln Technical Institute, Edison campus.
Re: The assessment, the plan of action, the program will employ to correct the 2009 NCLEX results which was less than the required 75% pass rate.

After discussion, the Board upon a motion made by Sandra Austin-Benn and duly seconded by Connie Wilson, voted to send a letter to Lincoln Technical Institute, Edison Campus requiring the school to submit additional information to the Board within 90 days. The motion carried.

- c. May 5, 2010 – Letter from Barbara Byers, RN, MA, Ed.M, Director of Nursing, Lincoln Technical Institute, Paramus campus.
Re: The assessment, the plan of action, the program will employ to correct the 2009 NCLEX results which was less than the required 75% pass rate.

After discussion, the Board upon a motion made by Sandra Austin-Benn and duly seconded by Connie Wilson, voted to send a letter to Lincoln Technical Institute, Paramus Campus requiring the school to submit additional information to the

Board within 90 days. The motion carried.

- d. May 10, 2010 – Letter from Dr. Nancy Blattner, Ph.D, President, Caldwell College.
Re: Letter from the Middle States Commission on Higher Education regarding the action of their Executive Committee for Substantive Change.
- e. May 11, 2010 – Letter from Dr Janet Mahoney, Ph.D, RN, APN-BC, Dean/Professor, Monmouth University.
Re: Monmouth University will be offering a Doctorate of Nursing (DNP) in summer 2011.
- f. May 12, 2010 – Letter from Gary Altman, Acting Assistant Commissioner, Department of Labor and Workforce Development.
Re: Metropolitan Learning Institute was issued private vocational school approval for the period of April 1, 2010 through March 31, 2011.
- g. May 17, 2010 – Letter from Edita Bien, MA, RN, CIC, NEA-BC, Chief Operating Officer, Pinelands School of Practical Nursing.
Re: Mrs Jovita Francis, MSN, RN will assume the position as Director of Nursing Education for Pinelands School of Practical Nursing.
- h. June 8, 2010 – Letter from Timothy Inverso, MSN, RN, CEN, Regional Director of Nursing NJ-PA, Lincoln Technical Institute.
Re: The new policy at Lincoln Technical Institute, Edison, Moorestown, and Paramus Campuses, for Issuance of the Letter of Completion for the Nursing Program.
- i. June 17, 2010 – Letter from Elizabeth Stitley, Supervisor of Allied Health Programs, Somerset County Technology Institute.
Re: Donna Gray, MSN, RN, will become the “on site” coordinator of the LPN programs until December 2010.
- j. June 2, 2010 – Article from The NLN Foundation for Nursing Education.
Re: Giving through Teaching: How Nurse Educators are Changing the World.
- k. June 2010 – Article from Elsevier journal.
Re: Nurse Education in practice and legal obligations and workplace implications for institutions of higher education accommodating learning disabled students.
- l. June 9 , 2010 – Report from Josephine Huisling, MSN, RN, Corporate Director of Nursing, Eastwick College, The HoHoKus schools.
Re: The assessment, the plan of action, the program will employ to correct the 2009 NCLEX results which was less than the required 75% pass rate.
- m. July 1, 2010 – Letter from Laurie Pringle, Executive Director, Lincoln Technical Institute, Paramus campus.
Re: Effective immediately, Timothy Inverso, RN, MSN, CEN is serving as Interim Director.

- n. July 12, 2010 – Letter from Jovita Francis, MSN, RN, Director of Nursing, Pinelands School of Practical Nursing & Allied Health, Inc.
Re: The assessment, the plan of action the program will employ to correct the 2009 NCLEX results which was less than the required 75% pass rate

After discussion, the Board upon a motion made by Sandra Austin-Benn and duly seconded by Connie Wilson, voted to send a letter to Pinelands School of Practical Nursing & Allied Health, Inc requiring that the school submit additional data identifying NCLEX-PN performance. The motion carried.

- o. July 23, 2010 – Email from Benjamin Murray, Assistant Director, Commission on Collegiate Nursing Education. (CCNE)
Re: CCNE Calls for Third Party Comments.
- p. July 30, 2010 – Letter from Roberta Olson, PhD, RN, Dean and Professor, South Dakota State University.
Re: Dr. Rebecca Randall has been hired as coordinator of the Continuing Nursing Education department effective August 2, 2010. Second, both the RN and LPN refresher courses were updated this summer with current objectives and course content.
- q. August 4, 2010 – Letter from Laurie Pringle, Executive Director, Lincoln Technical Institute, Paramus campus.
Re: A candidate for the Director of Nursing position in the Practical Nursing Program's Paramus campus, the candidate, Ms. Dorothy Kotowski.
- r. August 30, 2010 – Documents from Julie Bliss, EdD, RN, Chairperson, William Paterson University.
Re: Effective September 1, 2010 the Department of Nursing received permission from the Provost to eliminate 3 General Education courses. Therefore, the degree is now 120.5 credits

After discussion, the Board upon a motion made by Sandra Austin-Benn and duly seconded by Connie Wilson, voted to approve the revisions submitted by William Paterson University. The motion carried.

- s. August 30, 2010 – Letter from Anne McGinley, PhD, RN, APN, Chief Nursing Officer, Our Lady of Lourdes School of Nursing.
Re: Effective August 23, 2010 Lisa Easterby, MSN, RN, CNE, has been appointed Dean and Senior Director of Education and Anne McGinley, PhD, RN, APN, has been appointed Chief Nursing Officer and Vice President of Education and Research.
- t. September 2, 2010 – Letter from Mary E. Kelley, LLD, MSN, MEd, RN, CNE, ANEF, Dean, Trinitas School of Nursing.
Re: Effective September of 2014 Trinitas School of Nursing will reflect the following change: Child Psychology (PSY 205) will be replaced with Life Span Development (PSY 204).

After discussion, the Board upon a motion made by Sandra Austin-Benn and duly seconded by Connie Wilson, voted to approve the proposed curriculum revisions submitted by Trinitas School of Nursing. The motion carried.

- u. September 9, 2010 – Letter from Ladylease G. White, Ph.D, Dean of Faculty/Academic Affairs, Essex County College.

Session II Committee Report

1. New Program Application (*Appearances*)

- a. Thomas Edison School of Nursing – RN Phase I and Phase II

The Education Committee met with representatives from Thomas Edison School of Nursing and reviewed Part I and Part II of the application to establish a new registered nurse program in New Jersey.

After discussion, the Board upon a motion made by Sandra Austin-Benn and duly seconded by Joni Jones, voted to grant Provisional Accreditation of Thomas Edison State College's proposed Accelerated Second Degree BSN program. The motion carried.

2. Self-Study

- a. Prism Career Institute – Practical Nursing Program

After discussion, the Board upon a motion made by Sandra Austin-Benn and duly seconded by Joni Jones, voted to require that Prism Career Institute submit a complete revision of their Self-Study report. The motion carried.

- b. Dover Business College

Dover Business College PN Program – Grant accreditation for 8 years (Clifton and Dover campuses) based on their Self Study Report and site visit.

After discussion, the Board upon a motion made by Sandra Austin-Benn and duly seconded by Connie Wilson, voted to grant accreditation for 8 years to Dover Business College PN Program (Clifton and Dover Campuses). The motion carried.

- c. Metropolitan Learning Institute (Self Study Report)

Have person who prepared the Self Study Report meet with the BON Staff (Executive Director), to review the many questions posed as a result of the submission of this document.

After discussion, the Board upon a motion made by Saundra Austin-Benn and duly seconded by Joni Jones, voted to require that Metropolitan Learning Institute submit a complete revision of their Self-Study report. The motion carried.

OPEN FORUM:

Noreen D'Angelo asked the public to share with the Board of Nursing any concerns, issues or questions:

- No comments from the public.

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

ADJOURNMENT:

On November 5, 2010 the Regular Open Board Meeting was adjourned at 4:30 p.m. The next Regular Board Meeting will be held on February 4, 2011.

Respectfully Submitted,

Noreen D'Angelo
Board Member