



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF COMMUNITY HEALTH
LANSING

JANET OLSZEWSKI
DIRECTOR

MICHIGAN BOARD OF NURSING MEETING OF MARCH 5, 2009

APPROVED MINUTES

In accordance with the Open Meetings Act, 1976, PA 267, as amended, the Michigan Board of Nursing met in regular session on March 5, 2009, at the Ottawa Building, 611 W. Ottawa, Conference Room 3, Upper Level Conference Center, Lansing Michigan.

CALL TO ORDER

Linda Taft, R.N., Chairperson, called the meeting to order at 9:08 a.m.

ROLL CALL

Members Present:

James Childress, Public Member
Jeffrey Breslin, R.N.
Melynda Daley, L.P.N.
Michelle Woods, Public Member (left 11:00 a.m.)
Brenda Lewis, L.P.N.
Bruce Andersen, Sr., Public Member
Earl Auty, R.N., C.R.N.A., M.S.
Kathleen Lavery, R.N., M.S., C.N.M.
Michelle Johnson, R.N., M.S.N.
Reginald Armstrong, Public Member
Amy Perry, R.N., M.S.N.
Karen Bowman, R.N.
Donica Stubbs, R.N., B.S.N. (left 11:30 a.m.)
Nina A. Bugbee, R.N.
Mary Brown, R.N.
LaDonna Schultz, Public Member (arrived 9:15 a.m.)
Regina Allen, Public Member (arrived 9:13 a.m.)
Margherita Clark, R.N., M.S.N., Vice-Chairperson
Linda S. Taft, R.N., Chairperson

Members Absent:

Terese Cole, Public Member
Mary MacEachern, L.P.N.
Jody Weissler, Public Member

Staff Present:

Bonnie Curtis, Secretary
Wendy Helmic, Analyst, Enforcement Section
(left 10:15 a.m.)
Leo Friedman, Assistant Attorney General
Rae Ramsdell, Director, Licensing Division
Amy Shell, Manager, Licensing Division
Bill Hurth, Manager, Enforcement Section (left 10:15 a.m.)
Tim Andrews, Manager, Licensing Division (left 11:30 a.m.)
Melanie Brim, Director, Bureau of Health Professions
(left 9:52 a.m.)
Ray Garza, Director, Health Regulatory Division
Jeanette Klemczak, Chief Nurse Executive
(arrived 10:17 a.m.)

Others Present:

Brenda Anderson – Kirtland Community College
Angela LaPrad – Kirtland Community College
Anna Kramer – Kirtland Community College
Lora Parris – Kirtland Community College
Linda Wheeler – Michigan LPN Association
Laura Atkins – CE Caddy

APPROVAL OF MINUTES

Motion by Lavery, seconded by Woods, to approve the minutes of the January 6, 2009 meeting as presented.

MOTION PREVAILED

APPROVAL OF AGENDA

Motion by Woods, seconded by Clark, to approve the agenda with the following amendments:

Under **NEW BUSINESS**, add **E. NCSBN Advanced Practice RN Committee – Lavery** and **F. DSC Master Resolutions**

Under **NEW BUSINESS**, move **A. Continuous Professional Development – Melanie Brim** to immediately after **Introductions**.

MOTION PREVAILED

INTRODUCTIONS

None

CONTINUOUS PROFESSIONAL DEVELOPMENT – MELANIE BRIM

Brim provided members with a brief background and history regarding the continuous professional development (CPD) model. During the negotiations for enactment of legislation that would have provided for licensure of respiratory therapists, there was concern expressed that traditional continuing education (CE) did not assure ongoing competency. To move the respiratory therapy bill forward, it was agreed that a model for CPD would be developed by the Bureau and sent to the Governor for review and approval. Once approved, the CPD model could be used not only for the Board of Respiratory Care but also for the boards which had been seeking CE for a number of years, including the Boards of Psychology, Veterinary Medicine, Physical Therapy and Counseling.

Brim advised that the Governor recently approved the portfolio model which includes the following components: traditional CE; ongoing competency assessment; and continuing professional development. She stated that the CPD framework is a mechanism developed to ensure that knowledge, skills and abilities remain current and are continuously improved or acquired. There are three (3) categories of activities in the model: continuing education, hands-on learning and competency assessments. Brim advised that licensees would be encouraged to participate in activities that fall within a minimum of two (2) of the three (3) components. She provided examples of the various activities and elements that would satisfy CPD requirements.

Brim advised that the Bureau will create standardized forms for all professions and will draft a core set of rules that apply to all professions. However, each board will determine its own minimum number of hours and types of activities.

Brim then took questions from the members.

REGULATORY CONSIDERATIONS

JOANNE MARIE NICHOLS, R.N., L.P.N. – PETITION FOR REINSTATEMENT

Motion by Perry, seconded by Johnson, to grant reinstatement, in the matter of Joanne Marie Nichols, R.N., L.P.N.

Petitioner shall take and pass the NCLEX exam within one (1) year of the effective date of the Order.

Upon successfully passing the exam, Petitioner shall be granted a limited license for the sole purpose of taking and passing a nursing refresher course. This course shall be pre-approved by the Board chairperson or designee and shall be completed within six (6) months of issuance of the limited license.

Upon successful completion of the refresher course, Petitioner's license shall be automatically reclassified.

Petitioner shall then be placed on probation for a period of one (1) year with the following terms and conditions:

- 1) Petitioner shall submit quarterly employer reports.

If Petitioner does not complete the refresher course within one (1) year, the limited license will be automatically suspended and she must petition for reinstatement.

A roll call vote followed: Yeas – Andersen, Perry, Johnson, Armstrong, Lewis, Bugbee, Bowman, Stubbs, Daley, Brown, Schultz, Allen, Lavery, Childress, Breslin, Woods, Auty, Clark and Taft

MOTION PREVAILED

MAUREEN BRIGID MALIK, R.N. – PETITION FOR REINSTATEMENT

Motion by Clark, seconded by Lewis, to grant reinstatement, in the matter of Maureen Brigid Malik, R.N.

Petitioner shall be placed on probation for a period of two (2) years with the following terms and conditions:

- 1) Petitioner shall comply with her Health Professional Recovery Program (HPRP) monitoring agreement.
- 2) Petitioner shall submit quarterly employer reports.

A roll call vote followed: Yeas – Breslin, Lewis, Woods, Bowman, Perry, Stubbs, Andersen, Brown, Auty, Childress, Schultz, Bugbee, Armstrong, Johnson, Lavery, Daley, Allen, Clark and Taft

MOTION PREVAILED

MICHELLE MARIE MAKI RIZZO, R.N. – PROPOSAL FOR DECISION/REINSTATEMENT

Motion by Johnson, seconded by Andersen, to accept the Proposal for Decision and grant reinstatement, in the matter of Michelle Marie Maki Rizzo, R.N.

Petitioner shall be granted a limited license for the sole purpose of taking and passing a nursing refresher course. This course shall be pre-approved by the Board chairperson or designee and shall be completed within six (6) months of issuance of the limited license.

Upon successful completion of the refresher course, Petitioner's license shall be automatically reclassified.

Petitioner shall then be placed on probation for a period of two (2) years with the following terms and conditions:

1) Petitioner shall submit quarterly employer reports.

If Petitioner does not complete the refresher course within six (6) months, the limited license will be automatically suspended and she must petition for reinstatement.

Additionally, Petitioner shall undergo an evaluation by the Health Professional Recovery Program (HPRP) to coordinate care with her existing treatment plan.

A roll call vote followed: Yeas – Woods, Allen, Brown, Childress, Schultz, Auty, Breslin, Daley, Andersen, Bugbee, Armstrong, Lewis, Stubbs, Johnson, Perry, Lavery, Bowman, Clark and Taft

MOTION PREVAILED

SENIDRA ANN REED, L.P.N. – PROPOSAL FOR DECISION/RELICENSURE

Motion by Perry, seconded by Woods, to accept the Proposal for Decision and deny relicensure, in the matter of Senidra Ann Reed, L.P.N.

A roll call vote followed: Yeas – Johnson, Lewis, Schultz, Bugbee, Childress, Auty, Perry, Andersen, Stubbs, Armstrong, Lavery, Woods, Daley, Bowman, Breslin, Allen, Brown, Clark and Taft

MOTION PREVAILED

COMMITTEE REPORTS

EDUCATION COMMITTEE

See Addendum #1

MOTION by the committee is to accept the PN program decisions related to American Medical Careers, Kellogg Community College, Kirtland Community College, Nexcare Training Institute, Oakland Community College, Oakland University, Schoolcraft College, Southwestern Michigan College, West Shore Community College, and the faculty exceptions.

MOTION PREVAILED

MOTION by the committee is to accept the ADN and BSN program decisions related to Eastern Michigan University, Kellogg Community College, Kirtland Community College, Lake Superior State University, Oakland Community College, Oakland University, Schoolcraft College, Southwestern Michigan College, Wayne County Community College District, and West Shore Community College.

MOTION PREVAILED

DISCIPLINARY SUBCOMMITTEE

No report.

LICENSURE COMMITTEE

No report.

CHAIRPERSON'S REPORT

Taft reported that she approved thirty-one (31) allegation files for further investigation; closed seventeen (17) with no violation of the Public Health Code and referred one (1) file for additional information. She approved fourteen (14) continuing education courses, denied twelve (12) courses; approved two (2) nursing refresher courses; approved four (4) non-mandatory summary suspensions; reviewed two (2) mandatory suspensions served by the department; acted as conferee for twenty-six (26) cases and participated in two (2) settlement conferences.

Taft reported that she met on February 4, 2009 with Rae Ramsdell, Amy Shell and Margie Clark to discuss board and department issues related to board function.

Taft reported that she participated in the COMON officer's conference calls on February 6 and 25, 2009.

VICE-CHAIRPERSON'S REPORT

Clark reported that she had thirty-five (35) consultations with Directors of Nursing programs related to annual reports, new program development and major and minor program changes; had twenty-five (25) communications with Rae Ramsdell and Margaret Jones related to MBON business; met with Rae Ramsdell, Amy Shell and Linda Taft on February 4, 2009 to discuss MBON planning and had fifteen (15) communications with Carole Stacy related to Michigan Center for Nursing business; co-chaired Task Force on Nursing Education (TFNE) meetings twice a month; gave presentation "Understanding the Michigan Board of Nursing" in December to six (6) groups of various level nurses at Spectrum Health in Grand Rapids; represented the MBON at the Michigan Center for Nursing Advisory Board meetings. Following is a link to the newsletter and survey data:
<http://michigancenterfornursing.org/>.

Taft recessed the meeting at 10:48 a.m.

Taft called the meeting to order at 11:00 a.m.

OLD BUSINESS

None

NEW BUSINESS

UPDATE ON TASK FORCE ON NURSING EDUCATION

Klemczak provided members with a report on the meetings of the Task Force on Nursing Education (TFNE) and reviewed. The report included the major points for each meeting. Klemczak reported that the TFNE anticipates recommending the following: national accreditation for all pre-licensure nursing education programs in Michigan; quality and safety must be emphasized in all nursing education programs in Michigan; implementation of a transition to practice program for all graduates of nursing education programs in Michigan; consistent terminology and definitions in nursing education in Michigan.

Klemczak then took questions from the members.

CE WAIVER – LAURIE SUE ERICKSON, R.N.

Ramsdell introduced Andrews who explained the process for a CE waiver request and briefly reviewed the request by Laurie Sue Erickson, R.N.

Motion by Perry, seconded by Bugbee, to grant the CE waiver request in the matter of Laurie Sue Erickson, R.N.

MOTION PREVAILED

DEPARTMENT UPDATE

Freidman provided members with the Attorney General's opinion regarding a case that appealed the disciplinary subcommittee's sanctioning of Respondent's license. Friedman briefly reviewed the opinion.

Ramsdell reported that all board members were added to the Michigan Center for Nursing email list.

Ramsdell reported on tutoring programs that are advertising as nursing programs and asked members to beware of these and caution potential students against them.

Shell reported that she attended the NCSBN Mid-Year Meeting March 2-4 and will brief the board at the May meeting.

NCSBN ADVANCED PRACTICE RN COMMITTEE – LAVERY

Taft announced that Lavery was appointed to the NCSBN Advanced Practice RN Committee (APRNC).

Lavery reported that the APRNC created a consensus paper for Advanced Practice Nursing and formed a committee to help states adopt their practice act. She stated the committee's goal is to have 60% of all states adopt the practice act by 2015.

DSC MASTER RESOLUTIONS

Garza stated that the disciplinary subcommittee requested that the full board review the master resolutions and make recommendations.

Discussion followed.

The consensus of the board was to hold this issue for further information.

PUBLIC COMMENT

None

ANNOUNCEMENTS

The next regularly scheduled meeting will be held May 7, 2009, at 9:00 a.m. at the Ottawa Building, 611 W. Ottawa, Conference Room 3, Upper Level Conference Center, Lansing, Michigan.

ADJOURNMENT

Motion by Armstrong, seconded by Auty, to adjourn the meeting at 12:00 p.m.



Linda S. Taft, R.N., Chairperson

5-7-09

Date minutes approved



Bonnie Curtis, Board Secretary

3-5-09

Date minutes prepared

ADDENDUM #1

PROGRAM REVIEW COMMITTEE REPORT

Email conference
March 4, 2009
Chairperson: M. Clark
Members: T. Cole, M. Johnson, A. Perry

Annual Report

Eastern Michigan University (BSN)

The report was received and approved. The committee commends the school for the improving NCLEX results.

Kellogg Community College (PN/ADN)

The report was received and approved.

Kirtland Community College (PN/ADN)

The report was received and approved. The NCLEX improvement plan needs continued monitoring.

Oakland Community College (PN/ADN)

The report was received and approved. The committee commends the excellent diversity plan, good recruitment and retention plan.

Oakland University (BSN/PN)

The report was received and approved. The PN program has a high attrition, but the committee commends the program for addressing this area.

Schoolcraft College (PN/ADN)

The report was received and approved. The attrition rates are high and the program needs to keep working on improvement in this area.

Southwestern Michigan College (PN/ADN)

The report was received and approved. The committee needs to be advised as to the outcome on the meeting and plans to align the degree credits. The committee would like to see an articulation sample.

Wayne County Community College District (ADN)

The report was received and approved. The committee commends the program for the improving NCLEX results.

West Shore Community College (PN/ADN)

The report was received and approved. The committee commends the NCLEX improvement plan, but does have concerns to the high number of remediation questions.

Self Study

Lake Superior State University (BSN)

The report was received and approved as an accredited school.

Nexcare (PN)

The self study was received and tabled for the following concerns to be addressed by the school. The mission statement: "The emphasis of the program is on long-term care setting but our graduates will be able to practice effectively in settings that include acute care, home health care and physician offices." The committee is concerned that with this emphasis the students will not obtain enough wide spectrum skills to pass the NCLEX-PN. The Medical Surgical clinical for LPN medication administration has the LPN inserting IV's or doing IV push. This is not in the scope of practice for LPN and should not be part of the curriculum. Also, the LPN does not do fetal heart monitoring. They may apply the monitor, but may not do monitoring. The committee wants all clinical agencies contracts for review, as part of the self study.

Site Visit

Baker College Auburn Hills (PN)

The site visit report was received and approved. Baker College of Auburn Hills has full approval from the Michigan Board of Nursing.

Letters

American Medical Careers (PN) responded to the student complaints from the January meeting. Another letter was received of a student complaint against American Medical Careers. The complaint by this student has also been filed with Proprietary Schools. The LPN program at American Medical Careers is limited to 30 admissions per year. No students may be in any class monitoring it or as an alternate student. The board must be able to know exact numbers of admissions and withdrawals/failures to have accurate attrition percentages. There is no provision in the administrative rules that allows nursing programs to exceed admission numbers without prior board approval. The committee wants to remind the school that all requests, both minor and major, must be submitted to the board and approved prior the implementation by the school.

The school has indicated a change in admission policy and returning student policy that will only allow fully eligible with all required documentation and approved funding to attend class. The school stated the policy will be sent to the board for review and approval. It is the committee's recommendation that only fully enrolled students attend orientation as the introduction to the education program. It was noted in files reviewed at the site visit conducted with the Proprietary School personnel that students were invited to attend the orientation without having completed the admission process or being enrolled. None of the complainants had completed the documentation needed for admission or to re-enter the LPN program, but all had a letter of invitation to the orientation.

Karl and Patrice Kaufman assured that all monies had been refunded to the complainants or other entities that paid on the students' behalf, other than book fees. Also, assurances were made that all collection actions had been ended for Ms. Parker and Ms. Howard. It was noted that both ladies were and remain ineligible to return to American Medical Careers.

Based on the response from American Medical Careers and the site visit no further questions remain.

Kirtland Community College (LPN to RN Online) submitted a letter about their discontinuation in the LPN to RN Online program. The committee acknowledges the letter.

NCLEX annual report

The schools that need to send in a NCLEX improvement plan with the next annual report are: Baker Cadillac, Davenport University (Midland ADN, Warren PN and ADN, and Grand Rapids BSN), Kellogg Community College, Lake Superior State University, Oakland Community College, and the University of Detroit Mercy.

Faculty Exceptions

Dawn Lyon 1st exception Clinical expires May 2009
St. Clair County Community College (retroactive from May 2008 because of failure to submit)

Shelly Laird 1st exception Clinical expires March 2010
St. Clair County Community College

Louann Rinke 1st exception Clinical expires March 2010
St. Clair County Community College

Andreanna Smith 1st exception Clinical expires March 2010
Mid Michigan Community College

Peggy Kearney 2nd exception expires March 2010
Baker College of Clinton Twp.

Shannon Meijer 1st exception expires March 2010
Baker College of Owosso

Michelle Johnson 1st exception Clinical expires March 2010
Kalamazoo Valley Community College

Yolanda Roche 1st exception expires March 2010
Southwestern Michigan College

Debra Green 3rd exception expires March 2010
Southwestern Michigan College

Cindy Bieber 2nd exception expires March 2010
Southwestern Michigan College

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MOTION by the committee is to accept the ADN and BSN program decisions related to Eastern Michigan University, Kellogg Community College, Kirtland Community College, Lake Superior State University, Oakland Community College, Oakland University, Schoolcraft College, Southwestern Michigan College, Wayne County Community College District, and West Shore Community College.

Minor Program Change

Grand Valley State University is reducing the Chemistry Sequence from 13 to 10 credits.

Jackson Community College is eliminating the 1 credit NUR 242, Physical Assessment in favor of the 3 credit NUR 245, Health Assessment.

St. Clair County Community College is changing the ADN Traditional Program to increase the credit and contact hours of the Nursing Assessment Course and Lab (ADN 123 and ADN 123L) by .15 hours each. This will change the credit/contact hours from .75 to .90 for both. The ADN Transition Program has 2 Tracks: the LPN to ADN and the Healthcare Provider (HCP) to RN Track. The LPN to ADN starts in the spring, and the HCP to ADN starts in the winter. After a review of the program, it was determined that the realignment of courses would be beneficial, so both tracts in the Transition Program begin in the winter and follow the same course sequencing. Currently, the ADN and LPN programs require BIO/A&P courses to be completed within 8 years of admission to the program. The request is to change the BIO/A&P courses to be completed within 5 years of admission to the Nursing Programs.

Henry Ford Community College is offering a new section of evening classes with weekend clinicals, and discontinuing the partnership with Henry Ford Hospital.