



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF COMMUNITY HEALTH
LANSING

JANET OLSZEWSKI
DIRECTOR

MICHIGAN BOARD OF NURSING MEETING MINUTES OF MARCH 6, 2008

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 6, 2008, at the Ottawa Building, 611 West Ottawa, Conference Room 3 (Upper Level Parking), Lansing Michigan.

CALL TO ORDER

Linda Taft, R.N., Chairperson, called the meeting to order at 9:12 a.m.

ROLL CALL

Members Present:

Linda S. Taft, R.N., Chairperson
Margherita Clark, R.N., M.S.N., Vice-Chairperson
Regina Allen, Public Member
Bruce H. Andersen, Sr., Public Member
Earl Auty, R.N., C.R.N.A., M.S. (left at 11:29 a.m.)
Jeffrey Breslin, R.N. (left at 11:56 a.m.)
James Childress, Public Member
Melynda J. Daley, L.P.N.
Michelle M. Johnson, R.N., M.S.N.
Anahid Kulwicki, R.N., M.S.N., Ph.D.
Kathleen Lavery, R.N., M.S., N.M.
Amy M. Perry, R.N., M.S.N.
Donica Stubbs, R.N., B.S.N.

Members Absent:

Suzanne Bosek, Public Member
Nina A. Bugbee, R.N.
Terese Cole, Public Member
Christopher Hermann, R.N., M.S.N., B.C., N.P.-C
Brenda Lewis, L.P.N.
Mary MacEachern, L.P.N.
Michelle Woods, Public Member

Staff Present: Rae Ramsdell, Director, Licensing Division
Ray Garza, Director, Health Regulatory Division
Desmond Mitchell, Analyst, Enforcement Section
(left at 10:02 a.m.)
Merry Rosenberg, Assistant Attorney General
Laurie VanBeelen, Secretary, Licensing Division
Jeanette Klemczak, Office of Chief Nurse Executive

Others Present: Connie Knapper, MICNP
Kristina Brukland, Oakland University
Briana Mocerri, Oakland University
Linda Wheeler, Michigan L.P.N. Association

APPROVAL OF MINUTES

Motion by Clark, seconded by Johnson, to approve the minutes of the January 10, 2008 meeting as presented.

MOTION PREVAILED

APPROVAL OF AGENDA

Motion by Clark, seconded by Allen, to approve the agenda as presented.

MOTION PREVAILED

INTRODUCTIONS

Taft welcomed new Board members, Jeffrey Breslin, Melynda Daley and James Childress, and asked the Board members and staff to introduce themselves.

REGULATORY CONSIDERATIONS

CHARMAINE McCOY GARNER, R.N. – PETITION FOR REINSTATEMENT

Motion by Perry, seconded by Stubbs, to grant reinstatement, in the matter of Charmaine McCoy Garner, R.N.

Petitioner shall be placed on probation for a period of one (1) year, complete quarterly employer reports, and continue with the HPRP monitoring agreement currently in place.

Discussion followed.

A roll call vote followed: Yeas – Johnson, Childress, Auty, Perry, Andersen, Stubbs, Lavery, Daley, Kulwicki, Breslin, Allen, Clark, Taft

MOTION PREVAILED

THERESA ANN TAYLOR, R.N. – PETITION FOR REINSTATEMENT

Motion by Clark, seconded by Johnson, to grant reinstatement, in the matter of Theresa Ann Taylor, R.N.

Petitioner shall request that the HPRP provide the Department with a letter of Petitioner's compliance with the current monitoring agreement within 30 days. If Petitioner fails to supply this letter, her license will remain suspended.

Petitioner shall be required to take and pass the NCLEX exam within one (1) year. If Petitioner fails to take and successfully pass the NCLEX exam, her license will remain suspended. Upon passing the NCLEX exam, Petitioner will be granted a limited license for the sole purpose of taking a Board-approved nursing refresher course within one (1) year of being granted the limited license. Upon successfully passing the refresher course, Petitioner's license will be automatically reclassified to a full and unrestricted license. Upon the automatic reclassification of her license, Petitioner shall then be placed on probation for a period of one (1) year, submit quarterly employer reports, and comply with the terms of an HPRP disciplinary monitoring agreement.

Discussion followed.

A roll call vote followed: Yeas – Childress, Johnson, Allen, Andersen, Stubbs, Auty, Daley, Kulwicki, Lavery, Breslin, Perry, Clark, Taft

MOTION PREVAILED

DIANN LYNN KUBIK, R.N. – PROPOSAL FOR DECISION

Motion by Perry, seconded by Clark, to accept the Proposal for Decision, and reinstate Petitioner's license in the matter of Diann Lynn Kubik, R.N.

The Board accepts the Proposal for Decision with the exception of the Administrative Law Judge's comment on page 7 that "once the Petitioner has proven a prima facie case for the reinstatement of her license, the Respondent (State of Michigan) has the burden of going forward with the evidence."

Petitioner shall be granted a limited license for a period of one (1) year for the sole purpose of completing a Board-preapproved nursing refresher course. If Petitioner fails to take and pass the nursing refresher course within one (1) year, her license will be automatically suspended. Upon completion of the refresher course, Petitioner's license shall be automatically reclassified to a full and unlimited license. Upon the automatic reclassification of her license, Petitioner shall be placed on probation for a period of two (2) years and submit quarterly employer reports. Additionally, Petitioner shall submit quarterly reports from her treating counselor and shall provide notification from her treating counselor when treatment has ended.

Discussion followed.

A roll call vote followed: Yeas – Andersen, Daley, Kulwicki, Johnson, Stubbs,
Childress, Allen, Breslin, Perry, Auty, Clark, Taft

Nays – Lavery

MOTION PREVAILED

COMMITTEE REPORTS

EDUCATION COMMITTEE

Clark reported that the Committee met on March 5th and referred the Board to the Program Review Committee Report. (See Addendum #1). She clarified the process taken regarding program decisions and faculty exceptions for the benefit of the new members.

Clark spoke of the faculty shortage and of the problems that Michigan will be facing in the future. Klemczak thanked the Board for the information provided to the Office of Chief Nursing Executive and indicated that it was very well received by the House subcommittee when she spoke to them on March 5th.

MOTION by the committee is to accept the PN program decisions related to Delta College, Kellogg Community College, Kirtland Community College, Lake Michigan College, Mid Michigan Community College, Oakland Community College, 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 Baker College Flint, Delta College, Hope College, Kellogg Community College, Kirtland Community College, Lake Michigan College, Mid Michigan Community College, Oakland Community College, Oakland University, Rochester College, Schoolcraft College, Southwestern Michigan College, Wayne County Community College District, and West Shore Community College.

MOTION PREVAILED

Clark commented that new directors of nursing programs are being trained very well. She indicated that the Committee has been reviewing the NCLEX examination results for the programs since the rules mandate that 85% of nursing schools maintain pass rates in order to continue operation, and that the Board of Nursing is advised if that percentage falls below 85%. For programs that drop below this established standard, schools are asked to provide documentation as to why the test results are below the required standard and what the school will do to increase the passing rates. She reported that in 2007, the RN NCLEX exam passing standard was raised by NCSBN which has resulted in a decreased number of people passing the test. The same situation will occur in 2008 for the LPN NCLEX. Michigan, traditionally, has maintained passing rates that are higher than the national average and there is no reason to believe that will change.

Clark advised that the Committee will be meeting again in April or May and will be exploring ways to unify nursing schools and move towards a unified curriculum. The Office of the Chief Nurse Executive also supports the concept of a unified curriculum and is planning to assist with this project by convening interested parties later this year.

DISCIPLINARY SUBCOMMITTEE

No report. Taft encouraged all members to attend a DSC meeting. She advised that the March 5th meeting was moved to March 12th.

LICENSURE COMMITTEE

No report.

CHAIRPERSON'S REPORT

Taft reported that she approved sixteen (16) continuing education courses, three (3) nursing refresher courses, and denied seven (7) courses. Regarding summary suspensions, she approved nine (9) non-mandatory suspensions and reviewed ten (10) mandatory suspensions which were served by the Department. With respect to allegation files, Taft authorized twenty-six (26) cases for further investigation, returned one (1) case for further information, and dismissed twenty-seven (27) cases showing no

violation of the Public Health Code. She indicated that she acted as conferee for six (6) cases, authorized three (3) cases for order of dismissal, and recommended closure of one (1) file post-investigation.

Taft indicated that the Task Force on Nursing Regulation (TFNR) meetings have been completed. She advised that she participated in a phone conference with co-chairs and Jeanette Klemczak in preparation for the 2/13/08 meeting with MDCH Director Janet Olszewski. Pursuant to the recommendation of M. Chambers, the TFNR co-chairs, Director Olszewski and Klemczak are planning a site visit to Three Rivers Hospital on 6/27/08 to view the facility and processes.

Taft stated that she and Clark will be attending the next COMON meeting which is scheduled for 3/20/08. Materials and a report will be provided to the Board at the May meeting.

Taft indicated that she met with Rae Ramsdell regarding Board activities and the progress of the Governor's office regarding new appointments to the Board. She also reviewed the proposed Board and disciplinary resolutions submitted for update by Ray Garza, the Director of the Health Regulatory Division.

Taft reported that she and Clark attended the NCSBN Midyear Meeting in Chicago held March 3 thru 5. Sessions on March 3 focused on "Crucial Conversations" and sessions held March 4 and 5 were "Orchestrating the Future of Regulatory Excellence." She indicated to the Board that her meeting materials were available for their review. She also referred the Board to the handout regarding nominations for the NCSBN and encouraged members to become involved with the NCSBN.

Taft explained that there was a presentation regarding the Philippines' exportation of nurses and that there are currently approximately 450 nursing programs available in the Philippines. Nursing students that graduate from these programs are not prepared to practice and quite often fail the NCLEX exam multiple times. Klemczak asked for these statistics and requested that a meeting be scheduled with the Office of Chief Nursing Executive to discuss this topic. Ramsdell indicated that she would gather information from the NCSBN on this issue and provide same via e-mail to Klemczak and the Board.

Clark commented that it was also brought to their attention at the Midyear Meeting that Europe is leading the way in bringing more alignment toward education. There are 25 countries that have agreed to accept three levels of education which allows people to travel within those countries to continue their education without having to repeat courses or start a new program.

Taft added that the main emphasis of the Midyear Meeting was patient safety. Both Taft and Clark thanked the Board for allowing them the opportunity to attend the Midyear Meeting. They both felt that the information obtained is beneficial to the State of Michigan.

With regard to the NCSBN website, Taft advised that she reviewed the January/February issue of the *Council Connector* and encouraged members to review same. She reported ongoing website improvements with respect to functionality and usability. She indicated there will be a new e-learning portal which is scheduled to be available the week of March 24th. This will give exclusive access to NCSBN educational offerings which are delivered using e-learning technology. For the new members, Taft advised that Laurie VanBeelen, one of the Board secretaries, will be the person in the Department responsible to create/maintain log-in accounts in order to gain access to the members-only NCSBN website.

Taft reported that she participated in the January Policy Call and reviewed the previous minutes.

Klemczak indicated that the Legislature is very involved and concerned with the current nursing shortage and that subcommittees are working towards a resolution of this issue. Ramsdell reminded the Board that they are not to be involved in the political arena with respect to nursing issues and that as Board members they are to follow the direction of the current administration.

VICE-CHAIRPERSON'S REPORT

Clark reported that she recently attended the NCSBN compliance conference. She also advised that the NCSBN is creating a research journal which should be a valuable asset.

She also attended the Michigan Center for Nursing meeting and referred the Board to a handout previously provided.

Clark indicated that Michelle Johnson will be attending the Nursing Faculty Shortage Conference at the end of the month in place of Kulwicki. Amy Perry also expressed interest in attending the Conference.

A written report is also being submitted with these Minutes.

A 2007-2009 meeting schedule for the NCSBN was provided to the Board secretary by Linda Taft and is being provided to the Board with these minutes.

OLD BUSINESS

TASKFORCE FOR NURSING REGULATION (TFNR) UPDATE

Klemczak reported that this Task Force was created due to the nursing shortage that is currently facing the State of Michigan. She provided and reviewed with the Board a

written summary of the Task Force's recommendations to Michigan Department of Community Health Director Olszewski. (See Addendum #2). She made note that in order to be approved for submission to Director Olszewski, each recommendation needed to be approved by at least 80% of the committee members.

With respect to recommendation 3.1, Lavery commented that this recommendation was created to attempt to identify and/or clarify the role of nurse midwives and nurse practitioners.

Ramsdell responded to recommendation 4.1, advising that two additional application processors are being hired, however the Bureau is still approximately 25 staff positions short at this time. She indicated to the Board that it takes approximately six weeks for an application to be processed. She further advised that an application is valid for three years from the time it is received by the Bureau.

Regarding recommendation 5.2-7.1, Klemczak suggested that a planning committee be formed to address the issue of a task force on nursing education before the task force is actually created. The Board agreed to meet following the May 7 DSC meeting to create a planning committee and then have a follow-up meeting in June. Klemczak asked the Board for their comments regarding a nursing education task force and Lavery indicated that language regarding scope of practice should also be addressed in a future task force. Klemczak indicated that a final report of the Task Force on Nursing Regulation will be provided in the near future to the Board.

Klemczak advised that the Michigan Nursing Core received \$1.5 million in appropriation funds last year for masters education programs and is currently working toward a unified web-based curriculum for faculty. She stated that clinical placement via web-based communication will be available this fall, and other states that have this in place have had an increased clinical placement of 30% to 40%.

NEW BUSINESS

COMMITTEE ASSIGNMENTS

Taft stated that the DSC is in need of professional, public and alternate public members. She asked for volunteers and passed around a sign-up sheet.

DEPARTMENT UPDATE – RAMSDELL

Ramsdell advised that the NCLEX exam can be reviewed by the Board from April 8 thru April 21. She will be providing information to the members in the near future.

Ray Garza referred the Board to the memorandum and attached information concerning board resolutions regarding disciplinary matters they were previously provided. He asked that they review this information and stated that he would like the Board to create a subcommittee to address the needed changes. Taft and Woods indicated they would serve on this subcommittee. Garza, Taft and Woods will be meeting in April following the DSC meeting and will report back to the Board at the May meeting.

PUBLIC COMMENT

None

ANNOUNCEMENTS

The next regularly scheduled meeting will be held on May 8, 2008, at the Ottawa Building, 611 West Ottawa, Conference Room 3 (Upper Level Parking), Lansing, Michigan.

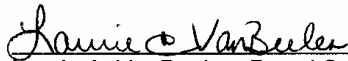
ADJOURNMENT

Motion by Lavery, seconded by Andersen, to adjourn the meeting at 12:06 p.m.



Linda S. Taft, R.N., Chairperson

Date Minutes Approved



Laurie A. VanBeelen, Board Secretary

March 13, 2008

Date Minutes Prepared

ADDENDUM #1

PROGRAM REVIEW COMMITTEE REPORT

March 5, 2008

Chairperson: M. Clark

Members: T. Cole (absent), M. Johnson, A. Kulwicki, A. Perry (absent)

Annual Report

Delta College (PN/ADN)

The reports were reviewed and approved.

Hope College (BSN)

The report was reviewed and approved.

Kellogg Community College (PN/ADN)

The report was reviewed and approved.

Kirtland Community College (PN/ADN)

The report was reviewed and approved. The board would like the program to consider a curriculum change to reflect the number of credits (60 to 72) for an associate degree.

Lake Michigan College (PN/ADN)

The report was reviewed and approved.

Oakland Community College (PN/ADN)

The report was reviewed and approved.

Oakland University (BSN)

The report was reviewed and approved. The board commends the improvement in NCLEX scores and minority recruitment efforts.

Southwestern Michigan College (PN/ADN)

The report was reviewed and approved.

Wayne County Community College District (ADN)

The report was reviewed and approved. The board commends the improvement in student retention and NCLEX scores.

West Shore Community College (PN/ADN)

The report was reviewed and approved. The board would like the program to consider a curriculum change to reflect the number of credits (60 to 72) for an associate degree. This change may improve the NCLEX scores. Also, in future reports include information about minority and nontraditional students within the school and the community.

Self Study

Mid Michigan Community College (PN/ADN)

The self study was reviewed and approved. The board would like to commend an excellent self study report and would like you to consider seeking accreditation with NLNAC. The self study was scholarly and worthy of recognition.

Schoolcraft College (PN/ADN)

The self study was reviewed and approved.

Initial Approval

Rochester College (BSN) (tabled from the November 2007 meeting)

The additional information requested was reviewed and approved. The school may proceed to the development of the curriculum and self study. The board recommends that you seek additional clinical placements in addition to Crittenton.

Major Program Change

Baker College Flint (ADN)

The major program change was reviewed and approved.

Northern Michigan University (BSN)

The major program change was reviewed and approved.

Faculty Exceptions

Heather Morgan Kellogg Community College	1 st exception	Clinical	expires 3/2009
Cheksha Bell Kellogg Community College	1 st exception	Clinical	expires 3/2009
Joan Underhill Northwestern Michigan College	1 st exception	Clinical	expires 3/2009
Kristine Donahue Henry Ford Community College	1 st exception	Clinical	expires 3/2009
Elizabeth Seelhoff Davenport University (retroactive back to January)	2 nd exception		expires 1/2009
Victoria Hamme Washtenaw Community College	1 st exception		expires 3/2009
Tina Schroeder St. Clair County Community College (retroactive back to January)	1 st exception	Clinical	expires 1/2009

Ryan Havens 1st exception Clinical expires 1/2009
St. Clair County Community College (retroactive back to January)

Deborah Davis 1st exception Clinical expires 3/2009
St. Clair County Community College

Wyndolen Tucker 1st exception Clinical expires 3/2009
St. Clair County Community College

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MOTION by the committee is to accept the ADN and BSN program decisions related to Baker College Flint, Delta College, Hope College, Kellogg Community College, Kirtland Community College, Lake Michigan College, Mid Michigan Community College, Oakland Community College, Oakland University, Rochester College, Schoolcraft College, Southwestern Michigan College, Wayne County Community College District, and West Shore Community College.

Director Changes

Dr. Joyce Thompson is the Interim Director of the Bronson School of Nursing at Western Michigan University effective January 1, 2008 until June 30, 2008.

Minor Changes

American Medical Careers has been granted the minor change of:

1. Failure to pass a subject-specific CAP Test after 3 attempts, inclusive of coaching and subject remediation will require the successful completion of a subject-specific remedial learning plan created between the student and Instructor, prior to Program completion.
2. Failure to pass a CAPs test will not disqualify a student from continuing their PN Program, provided that they successfully achieved the 80% average in their course work required to pass the respective classes.

Annual NCLEX Review

The following schools need to complete the NCLEX Improvement Plan to their Annual Report:

- Gogebic Community College
- Montcalm Community College
- North Central Michigan College
- Northwestern Michigan College
- University of Michigan

ADDENDUM #2

MDCH - Task Force on Nursing Regulation

Summary of Recommendations to the Director of MDCH

[1.2] It is recommended that the Public Health Code be changed to meet the current and future priorities and needs of the profession of nursing through increased flexibility in the utilization of the Nurse Professional Fund (NPF) and increased funding of the NPF.

[2.2] It is recommended that retired nurses who wish to practice nursing as volunteers should be encouraged to do so through the same Public Health Code provisions that encourage retired physicians to practice as volunteers – the Special Volunteer License and liability exemption.

[3.1] It is recommended that the Michigan Department of Community Health support a change in the Public Health Code and in the Michigan Board of Nursing (MBON) Administrative Rules that adds definitions for certain Advanced Practice Nursing (APN) specialties. These include Certified Nurse Midwives (CNM) and Certified Nurse Practitioners (CNP). The inclusion of definitions for these APN specialties will a) educate the public, health care employers, and health policy-makers with respect to these practitioners, and b) clarify the content and maintain the integrity of these APN specialties.

[4.1] It is recommended that the Governor and MDCH Director exempt MDCH-Bureau of Health Professions regulatory staff positions that are approved and that are supported by restricted funds (such as the Health Professions Regulatory Fund) from current and future hiring freezes.

[5.1] It is recommended that the Director of MDCH work with the Director of MDE to charge the Interagency Healthcare Workforce Coordinating Council (MDCH, MDE, MDLEG, and MDHS) with the task of effectively resolving the inconsistencies among the Public Health Code, the School Code, and MIOSHA Statutes that affect the provision of in-school healthcare for children. The relevant codes and administrative rules should be reconciled with the goal of improving the safety and quality of healthcare for children in schools.

[5.2-7.1] It is recommended that the Director of MDCH convene a Task Force on Nursing Education (TFNE) to make recommendations to the Director on the issues discussed in Nursing Regulatory Position Papers 5.2 through 7.1, plus such other nursing education issues as TFNE members identify as high priority and amenable to solution. It also is recommended that the TFNE be followed by the convening of a Task Force on Nursing Practice (TFNP) to make recommendations to the Director on the issue discussed in Nursing Regulatory Position Paper 5.2, plus such other nursing practice issues as TFNP members identify as high priority and amenable to solution.