

ALABAMA BOARD OF NURSING

REGULAR BOARD MEETING

Fiscal Year 2009-2010

Suite 326, RSA Plaza

770 Washington Ave

Montgomery, Alabama

December 17, 2009

I. CALL TO ORDER

A. Roll Call

The meeting was called to order at 9:01 a.m. on December 17, 2009. The following Board members were present: Mike Harper, CRNA, JD, President; Debra Davis, DSN, RN, Vice-President; Gregory Howard, LPN, Secretary; Pamela Autrey, PhD., MSN, RN; Harry Brown, Jr., MA, MBA, CFP®; Melissa Bullard, LPN; Monica Cauley, MSN, RN; Maggie Lee Hopkins, LPN; Sylvia Nobles, MSN, CRNP; and Sharon Pugh, LPN. Genell Lee, MSN, RN, JD, Executive Officer and Leslie Vinson, Executive Secretary/Recorder were present. Staff members attending portions of the meeting were: Charlene Cotton, MSN, RN, Advanced Practice Consultant; Mary Ed Davis, MSN, RN, Voluntary Disciplinary Alternative Program; Katie Drake-Speer, MSN, RN, Nursing Education; Carolyn Morgan, MSN, RN, Continuing Education/Practice; Cathy Boden, MSN, RN, Legal Nurse Consultant; LaDonna Patton, MSN, RN, Legal Nurse Consultant; and Alice Maples Henley, Deputy Attorney General/General Counsel.

B. Declaration of Quorum

A quorum was declared with ten Board members present. Patricia LeCroy, MSN, RN; Amy Price, MSN, RN; and Rose Linsky, MSN, RN, were not present.

C. Statement of Compliance with Open Meetings Act

Prior notice of this meeting was given in accordance with the Alabama Open Meetings Act.

D. Review of Agenda

1. Additions, Modifications, Reordering

2. Adoption of Agenda

On December 17, Mr. Howard moved that the Board adopt the Agenda, as amended. Mr. Brown seconded. Motion carried without objection.

II. STANDARDIZED PROCEDURES

A. Standardized Procedure: IV Push Administration of Defined Medications by LPNs – DCI Phenix City

Ms. Morgan reported Dialysis Clinic, Inc. (DCI) submitted a standardized procedure application for LPNs to administer IV medications while being supervised by the registered nurse at all times. Medications in the dialysis setting are limited to those that either treat or manage conditions associated with complications of End State Renal Disease (ESRD), acute infections or adverse effects of the hemodialysis treatment. DCI is requesting approval for LPNs to administer IV push through a dialysis catheter the following medications: Calcitriol IV push; Cefazolin IV piggyback; Ceftazidime IV piggyback; Dextrose 50% IV push; Diphenhydramine IV push; Doxercalciferol IV push; Epoetin Alfa IV push; Gentamycin IV piggyback; Heparin IV push; Hypertonic Saline 23.4% saline IV push; Iron dextran IV push; Iron sucrose IV push; Levocarinatine IV push; Paricalcitol IV push; Promethazine IV push; Sodium Chloride 0.9% IV Infusion; Tobramycin IV piggyback; and Vancomycin IV piggyback.

Ms. Morgan provided copies of the application, medication list, training outline and power point presentation, test and answer key, competency checklists, summary of previous ABN approvals for LPNs to administer selected medications by IV push, and American Nephrology Nurses Association position statement for the Board's information and review.

The Board reviewed and discussed the information provided.

On December 17, Ms. Nobles moved that the Board approve the standardized procedure application from DCI, Inc. – Phenix City for LPNs to administer the medications defined in the application by IV push under the supervision of a registered nurse. Mr. Howard seconded. Motion carried with one opposition (Ms. Bullard).

B. Standardized Procedure: Insertion of Central Venous Line via the Internal Jugular – St. Vincent's Hospital

Ms. Morgan reported that St. Vincent's Hospital submitted a

standardized procedure application requesting approval for insertion of central venous line via the internal jugular vein by registered nurses.

In August 2006, St. Vincent's Hospital in Birmingham initiated a program for an in-house Vascular Access Team. All team members are Basic Life Support, Advanced Cardiac Life Support and Peripherally Inserted Central Catheter certified. The vascular access RN is also trained on intraosseous insertion. The current practice of the team is to start difficult peripheral intravenous lines, maintain the correct care and maintenance of any in house central line, insert emergent intraosseous catheters, re-consults and troubleshoots any central venous line in the patient population. When making a decision to use the internal jugular for central placement, the team looks at the type of infusion and length of stay of the catheter.

Ms. Morgan provided copies of the application, letters of support, position of the Association for Vascular Access (AVC), policy and procedure, AVC training objectives, bedside program of study, and competency checklists for the Board's information and review.

The Board reviewed and discussed the information provided.

On December 17, Dr. Autrey moved that the Board deny the standardized procedure application from St. Vincent's Hospital Birmingham for trained vascular access team RNs to perform insertion of central venous line via the internal jugular vein in adult patients due to the risk associated with the procedure and the concern that the number of training hours may not be enough to remain proficient. Ms. Bullard seconded. Motion carried without objection.

C. Standardized Procedure: Central Venous Line (non-tunneled) Catheter Removal – St. Vincent's Hospital

Ms. Morgan reported that St. Vincent's Hospital submitted a standardized procedure application requesting approval for trained vascular team RNs and dialysis RNs to perform central venous line (non-tunneled) catheter removal. Delays in patient discharge have become more frequent with the patient having to wait for physicians to remove the non-tunneled lines during the physician's office hours and after hours. The RN will observe three central venous catheter line removals before performing a minimum of three removals under supervision.

Ms. Morgan provided copies of the application, policy and

procedure, the organized program of study with test, and the competency checklist for the Board's information and review.

The Board reviewed and discussed the information provided.

On December 17, Dr. Davis moved that the Board approve the standardized procedure application from St. Vincent's Hospital Birmingham for trained vascular team RNs and dialysis RNs to perform central venous line (non-tunneled) catheter removal with the addition of observing and performing three of each type (subclavian, internal jugular, and femoral). Ms. Nobles seconded. Motion carried without objection.

III. ADVANCED PRACTICE AND PRACTICE

A. Approval of Collaborative Practices

Ms. Cotton reported that the roster includes fifteen applications for collaborative practice which meet the following criteria: 1) collaborative practice; 2) prescriptive privileges for standard formulary; 3) covering physicians; 4) no remote practice sites; 5) standard CRNP protocol with no additional duties; or 6) physician applicants who have met all ABME qualifications.

Applications for remote site practice, additional skills and/or restricted drugs will be presented to the Joint Committee in January 2010.

Ms. Cotton provided copies of the roster of applications for the Board's review and approval.

On December 17, Ms. Nobles moved that the Board approve the CRNP applicants for collaborative practice as listed in the published roster. Ms. Bullard seconded. Motion carried without objection.

IV. EDUCATION

A. Bishop State Progress Report

Ms. Drake-Speer reported that the composite of first time NCLEX-RN® writers from Bishop State for FY 2008 failed to meet the outcome standard of 80% pass rate. The results for FY 2008 were a 75% pass rate. A plan of improvement was submitted April 20,

2009 address the program's efforts to improve students' performances. A Notice of Deficiency was sent to the program requesting the plan of improvement, a progress report, and establishing the deadline of September 30, 2010 to remove the deficiency. Board staff conducted an onsite survey visit on September 16, 2009. The FY 2009 pass rate was 83.3%, with fifty-five out of sixty-six candidates passing.

Ms. Drake-Speer provided copies of Bishop State's Progress Report for the Board's information and review.

The Board reviewed and discussed the progress report.

B. Spring Hill College Progress Report

Ms. Drake-Speer reported that the composite of first time NCLEX-RN® writers for FY 2008 failed to meet the outcome of 80% pass rate. The pass rate for FY 2008 was 79.2%. A written plan of improvement was submitted on April 16, 2009, and a follow up progress report was received on October 22, 2009. The FY 2009 pass rate was 78.6%, with eleven out of fourteen candidates passing. Board staff conducted an onsite survey visit on September 15, 2009. The program has until September 30, 2010 to correct the deficiency. The program received a Notice of Deficiency for FY 2008 and a Notice of Continued Deficiency for FY 2009.

Ms. Drake-Speer provided copies of the progress report for the Board's information and review.

The Board reviewed and discussed the progress report.

C. LBW College of Nursing/Jacksonville State University Progress Report

Ms. Drake-Speer reported that Jacksonville State University BSN Program received a Notice of Deficiency for a FY 2008 NCLEX-RN® composite score of 75.5% for first time writers which did not meet the 80% passing standard. A plan of improvement was submitted on April 25, 2009 and a follow up progress report was received on October 28, 2009. The FY 2009 pass rate for first time writers was 93.97%, with 108 out of 115 candidates passing.

Ms. Drake-Speer provided copies of the progress report for the Board's information and review.

The Board reviewed and discussed the progress report.

D. Herzing University PN to ADN Program: Provisional Approval

Ms. Drake-Speer reported that Herzing University's Practical Nurse to Associate Degree Mobility Program was granted provisional approval in May 2008. The FY 2009 NCLEX-RN® pass rate was 75%, with three out of four candidates passing. As of November 11, 2009, sixteen candidates tested resulting in eleven passing and five failing for a current pass rate of 68.75%. Board staff conducted an onsite survey visit on October 21, 2009.

Ms. Drake-Speer provided copies of the progress report for the Board's information and review.

Sarah Harmon, Program Director; Dr. Mary Urbanski, Corporate Nursing & Allied Health Programs; and Lisa Casey, Instructor, were present and answered questions from the Board. Ms. Harmon provided copies of the current course sequence and the proposed course sequence for the Board's information and review.

V. OPEN FORUM

A. Update on Advanced Practice Research: Dr. Jean Lazarus

Dr. Jean Lazarus conducted a power point presentation on Advanced Practice Research.

B. Presentation on Public Speaking: Harry I. Brown

Mr. Brown conducted a presentation on public speaking and provided a handout.

VI. EXECUTIVE OFFICER

A. Update on LPN Renewal

Ms. Lee reported that as of the morning of November 30, 11,800 LPNs renewed active, 51 renewed active/probation, and 49 renewed retired, for a total of 62.25% of those eligible to renew.

On November 29, 2009, the payment engine data site for NIC-USA went down. ABN found out by LPNs that tried to renew but were unsuccessful. Once the system was back up, emails were sent to all LPNs that notified ABN that they were unable to renew.

Ms. Lee reported that she has started communications with another company.

Ms. Lee reported that as of December 17, 4,232 LPNs had not renewed and seventy-six retired their license.

Ms. Lee provided copies of the NIC-USA incident report for the Board's information and review.

The Board discussed the information provided.

B. Upcoming Legislative Session

Ms. Lee reported that the Board has had several bills introduced over the course of the last five to seven years. For five years in a row, the Board introduced proposed legislation requesting law enforcement authority. The proposed legislation was not introduced in the 2009 legislative session because the black caucus in the House has stated no bills granting agencies law enforcement authority will be passed.

In the 2009 legislative session, the Board introduced legislation to try and obtain confidentiality of records. The Alabama Trial Lawyers Association was opposed and the issue could not be resolved.

The Board discussed the pros and cons of trying to become a checkbook agency.

The Board suggested that Ms. Lee work on the proposed language and requested a financial analysis.

Ms. Lee provided copies of language from checkbook agencies and the confidentiality of investigation records bill for the Board's information.

VII. POLICY

A. Final Certification, ABN Administrative Code, Rule 610-X-9-.12, Reinstatement of Approval as a Clinical Nurse Specialist

Ms. Cotton reported that the Board of Nursing reviewed Chapter 610-X-9, Advanced Practice Nursing in October 2009, and approved the proposed Rule 610-X-9-.12, Reinstatement of Approval to Practice as a Clinical Nurse Specialist (CNS). The proposed rule was filed with the Legislative Reference Service and

published in the October 30, 2009, issue of the *Alabama Administrative Monthly*. The proposed rule was posted on the ABN website. A notice about the proposed rule was sent to members of the ABN list-serves. There was no request for public hearing. There were no written comments pertaining to reinstatement.

The rule defines the requirements for the active RN whose CNS approval has lapsed due to non-renewal or lack of certification. The application for reinstatement of lapsed RN includes the option for reinstatement of APN status. In addition, the active RN may apply for Reinstatement of Advanced Practice Nursing. The application includes payment of fee(s) and verification of national specialty certification. Additional continuing education credits are not required for reinstatement of the CNS approval. After reinstatement, the CNS approval is active for the period of the RN license, or the national specialty certification, whichever expires first.

Ms. Cotton provided copies of the proposed rule changes for the Board's review.

On December 17, Dr. Davis moved that the Board approve, as final certification, ABN Administrative Code, Rule 610-X-9-12, Reinstatement of Lapsed Approval for Practice as a Clinical Nurse Specialist. Ms. Hopkins seconded. Motion carried without objection.

VIII. OTHER

A. Research Discussion

Dr. Davis reported that one of her faculty members is doing research on safety and perceived threats in clinical practice and she needs the Board's mailing list. The Board discussed setting up a Research Council to screen research projects that may benefit the Board.

Ms. Lee reported that she is cautious of having a Research Council due to the Board's budget issues. Ms. Lee currently screens requests for help with research to determine if it will benefit the Board. If there is some benefit to the Board, she takes it to the Board for approval.

Ms. Lee reported that Dr. Jean Lazarus, Retired State Employee, could also screen requests for help with research projects when she completes the advanced practice research.

- Ms. Lee reported that Ladonna Patton, Legal Nurse Consultant, was awarded the Sexual Assault Nurse Examiner of the year from the Stand Together Against Rape/Light House Counseling Center in Montgomery.
- Ms. Lee reported that she has not heard anything from Dr. Sykes regarding the pain management issue, but she expects the issue to come up again either in the Legislature or the Court system. Ms. Lee and Ms. Maples are meeting with the Alabama Association of Nurse Anesthetists on December 22.
- Ms. Lee reported that the Alabama State Nurses Association (ASNA) requested a hearing with the Legislative Oversight Committee on the proposed fee increases. The hearing was held on December 15. The committee voted to disallow the fee increases.
- Ms. Lee reported that the next Board meeting is scheduled for January 21-22, 2010.

IX. BOARD MEETING DEBRIEFING

X. ADJOURNMENT

The meeting adjourned at 3:40 p.m. on December 17, 2009.

Michael D. Harper, President

Gregory Howard, Secretary

Submitted by: _____

Leslie Vinson, Recorder
12/17/2009