

BOARD OF NURSING

Open Session Minutes

December 4, 2019

9:13 am

BOARD MISSION STATEMENT:

“The mission of the Board of Nursing is to safeguard the public’s health and well-being by assuring safe quality care in the District of Columbia. This is achieved through the regulation of nursing practice and education programs; and by the licensure, registration and continuing education of nursing personnel.”

The Open Session Minutes continues on the next page with the ‘Board Meeting Participants’.

BOARD MEMBERS:	
Meedie Bardonille, RN (MB)	
Layo George, RN (LG)	
Elizabeth Lamme, RN (EL)	
Laverne Plater, RN (LP)	
Nancy Uhland, RN, DNP (NU)	
Rick Garcia, RN, PhD (RG)	
Margaret Green, LPN (MG)	
Monica Goletiani, Consumer (MG)	
Crystal Johnson, Consumer (CJ)	
Thedith Moore, LPN (TM)	ABSENT
BOARD STAFF:	
Frank B. Meyers, JD, Interim Executive Director	ABSENT
Bonita Jenkins, EdD, RN, CNE	
Cathy Borris-Hale, RN, MHA	ABSENT
Joanne Drozdoski, JD	
DaNeka Bigelow	
LEGAL STAFF:	
Van Brathwaite, JD	

The Open Session Minutes continue on the next page with 'Call to Order'.¹

¹ The order in which the following agenda items are listed does not necessarily reflect the order in which the items will be discussed during the meeting.

CALL TO ORDER		
OS-19-12-01 ALL	<u>INTRODUCTIONS</u> A. BOARD MEMBERS B. BOARD STAFF	MB

The Open Session Agenda continues on the next page with the 'Approval of Minutes, Consent Agenda and Staff Reports'.

APPROVAL OF MINUTES, CONSENT AGENDA AND STAFF REPORTS

OS-19-12-02
ALL

BOARD/DEPARTMENT REPORT

FM

A. BOARD CHAIR’S REPORT

i. NCLEX Subcommittee Meeting

The Board Chair informed the Board that she will be attended the NCLEX Subcommittee Meeting in January, representing the District of Columbia.

ii. National Legislative Updates

The Board Chair provided an update on several legislative issues affecting the nursing practice, including legislation allowing nurses to perform mental health exams (Florida), student loan forgiveness program (Wisconsin), implicit bias training (New Jersey), opioid treatment (Virginia) and the decriminalization of marijuana (Virginia).

iii. Nutrition Continuing Education (CE) Legislation

The Board Chair provided an update on recent testimony given before the DC Council Committee on Health re: legislation mandating certain hours of CE on nutrition.

B. EXECUTIVE DIRECTOR’S REPORT

i. January 2020 Meeting

Currently the January 2020 meeting of the Board of Nursing is scheduled for January 1st. As this is a holiday, staff is requesting guidance on what date to move the meeting to:

- a. Friday, January 17th
- b. Wednesday, January 22nd
- c. Thursday, January 23rd
- d. Friday, January 24th
- e. Friday, January 31st

Motion made by Dr. Uhland to hold the January 2020 meeting on January 17th. Seconded by Ms. Plater.

Ms. George, Ms. Lamme, Ms. Platter, Dr. Uhland, Ms. Green, Ms. Johnson, Ms. Moore, Ms. Goletiani and Ms.

	<p>Bardonille voted in favor of the motion. Dr. Garcia voted no. The motion passed.</p> <p>ii. Narcan Pilot Program Dr. White provided information to the Board on the Narcan Pilot program in the District, including a list of the pharmacies that will have</p> <p>C. BOARD ATTORNEY’S REPORT None.</p>	
<p>OS-19-12-03 ALL</p>	<p><u>OPEN SESSION MINUTES</u></p> <p>Board Action: Consideration of the Open Session minutes from the November 6, 2019 meeting.</p> <p>Background: The Open Session Minutes are a record of the Board’s past meeting(s), describing the events, list of attendees, a statement of the issues considered and related responses or decisions of the Board.</p> <p>Motion: Motion made by Ms. Green to approve the minutes. Seconded by Ms. Johnson.</p> <p>Ms. George, Ms. Lamme, Ms. Platter, Dr. Uhland, Dr. Garcia, Ms. Green, Ms. Johnson, Ms. Goletiani and Ms. Bardonille voted in favor of the motion. The motion passed unanimously.</p>	<p>FM</p>

The Open Session Minutes continue on the next page with ‘Misc. Items’.

MISC. ITEMS

OS-19-12-04 ALL	<u>TELEHEALTH PRESENTATION</u> Board Action: To view the presentations from representatives of Mary’s Center and the DC Department of Health Care Finance (DHCF) on the topic of telehealth. Background: Previously the Board directed staff to reach out to both St. Mary’s Center and DHCF to have them present on the topic of telehealth, specifically as to how telehealth is being implemented in the District and how telehealth is being Motion: This motion was for information purposes only, so no formal action was taken at this time. However, the Board did want to discuss the matter further when the Interim Executive Director is present during the January 2020 meeting.	FM
OS-19-12-05 ALL	<u>APRN REGULATIONS</u> Board Action: To review the draft APRN regulations. Background: The Board of Nursing previously reviewed and approved draft updated regulations governing APRNs in the District. As it has been some time since the draft regulations were approved, and several members of the Board have changed, the current membership requested the draft regulations be brought back for further review. A copy of the most recent draft regulations are provided. Motion: Due to time constraints, the Board Chair requested the matter be tabled to the January meeting to allow for members to review the draft regulations in greater detail as well as provide for more time for discussion. Additionally, the Board requested certain changes be made , specifically as they pertain to 5809.2(g) and (k) as discussed.	FM
OS-19-12-06 ALL	<u>CE REQUEST</u> Board Action: To review the request for continuing education (CE) approval from DC Health, Community Health Administration (CHA). Background:	FM

	<p>The DC Department of Health (DC Health), Community Health Administration (CHA) held a “Vaccines for Children Adolescent Health Meeting” on November 4, 2019, for the purpose of educating vaccination training to various providers. CHA is now requesting CE credits for the course.</p> <p>Motion: Motion made by Dr. Garcia to deny the request as it was submitted after the event took place. Seconded by Dr. Uhland.</p> <p>Ms. George, Ms. Lamme, Ms. Platter, Dr. Uhland, Dr. Garcia, Ms. Green, Ms. Johnson, Ms. Goletiani and Ms. Bardonnille voted in favor of the motion. The motion passed unanimously.</p>	
<p>OS-19-12-07 ALL</p>	<p><u>SIGNING AUTHORITY</u></p> <p>Board Action: To review the request from Ms. Laura Worby for the Board of Nursing to issue a letter clarifying nursing signing authority.</p> <p>Background: In 2017 the Health Occupations Revision Act (HORA) was amended, allowing for nurses to sign all documents that a physician may sign for. Specifically, DC Official Code § 3-1206.04(5) was amended to state:</p> <p style="text-align: center;"><i>An advanced practice registered nurse may:</i></p> <p style="text-align: center;">*****</p> <p style="text-align: center;"><i>(5) Sign, certify, stamp, or endorse all documents that require a signature by a physician, in place of a physician, provided it is within the scope of their authorized practice.</i></p> <p>Despite this change, staff has received several complaints that various health care entities are not accepting nurse signatures, most notably death certificates. Staff worked with the Office of Vital Records to clarify this issue, following which it was confirmed that nurses can sign death certificates. However, it appears this remains an issue, and so a request was received for the Board of Nursing to issue a letter informing the public of the ability of nurses to sign death certificate and other healthcare related documents. A copy of the request and draft letter is being provided to the Board for review.</p> <p>Motion:</p>	<p>FM</p>

	<p>Motion made by Dr. Garcia to have the Executive Director draft a letter clarifying that nurses have signing authority for distribution to stakeholders, including posting on the website. Seconded by Ms. Plater.</p> <p>Ms. George, Ms. Lamme, Ms. Platter, Dr. Uhland, Dr. Garcia, Ms. Green, Ms. Johnson, Ms. Goletiani and Ms. Bardonille voted in favor of the motion. The motion passed unanimously.</p>	
<p>OS-19-12-07b ALL</p>	<p><u>NURSING EDUCATION</u></p> <p>Board Action: To review the information re: NCLEX passage rates in the District for the past year.</p> <p>Background: Dr. Jenkins informed the Board that the NCLEX passage rates for all programs in DC have gone up. A brief summary was made available for the Board members review.</p> <p>Additionally, representatives from the nursing education program Time for Change were present to discuss their application.</p> <p>Motion: Motion made by Dr. Uhland to proceed with approval process for Time for Change. Seconded by Ms. Green.</p> <p>Ms. George, Ms. Lamme, Ms. Platter, Dr. Uhland, Dr. Garcia, Ms. Green, Ms. Johnson, Ms. Goletiani and Ms. Bardonille voted in favor of the motion. The motion passed unanimously.</p>	<p>BJ</p>

The Open Session Minutes continue on the next page with 'Motion to Close'.

MOTION TO CLOSE

OS-19-12-08
ALL

MOTION TO CLOSE

FM

Board Action:

To go into closed session to discuss confidential matters as permitted in DC Official Code § 2-575(b).

Background:

Pursuant to DC Official Code § 2-575(b), the Board will move into the Closed Executive Session portion of the meeting to discuss the following:

1. To consult with an attorney to obtain legal advice and to preserve the attorney-client privilege between an attorney and a public body, or to approve settlement agreements pursuant to § 2-575(b)(4)(a);
2. Preparation, administration, or grading of scholastic, licensing, or qualifying examinations pursuant to section § 2-575(b)(6);
3. To discuss disciplinary matters pursuant to section § 2-575(b)(9);
4. To plan, discuss, or hear reports concerning ongoing or planned investigation of alleged criminal or civil misconduct or violations of law or regulations, if disclosure to the public would harm the investigation pursuant to section § 2-575(b) (14).

Motion:

Motion made by Ms. Plater to go into closed session. Seconded by Ms. Johnson.

Ms. George, Ms. Lamme, Ms. Platter, Dr. Uhland, Dr. Garcia, Ms. Green, Ms. Johnson, Ms. Goletiani and Ms. Bardonille voted in favor of the motion. The motion passed unanimously.

The Open Session Minutes continue on the next page with ‘Motion to Adjourn’.

MOTION TO ADJOURN

OS-19-12-09 ALL	<p><u>MOTION TO ADJOURN</u></p> <p>Board Action: To adjourn the meeting.</p> <p>Background: At the end of every a meeting a motion to adjourn must be made in open session to close out the business of the Board.</p> <p>Motion: Motion made by Ms. Plater to adjourn the meeting. Seconded by Ms. Green.</p> <p>Ms. George, Ms. Lamme, Ms. Platter, Dr. Uhland, Dr. Garcia, Ms. Green, Ms. Johnson, Ms. Goletiani and Ms. Bardonille voted in favor of the motion. The motion passed unanimously.</p>	FM
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This ends the Open Session Minutes.

This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.