

BOARD OF NURSING
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF MEETING

The agenda for this meeting was filed with the Office of the Lieutenant Governor as required by Section 92-7(b), Hawaii Revised Statutes ("HRS").

Date: Thursday, June 6, 2013

Time: 8:30 a.m.

Place: Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

Members Present: Matthew Bishop, DNP, APRN, Chair
Cecilia P.S. Mukai, Ph.D., APRN, Vice Chair
Denise L. Cohen, Ph.D., APRN
Lorraine Fleming, DNP, APRN
James S. Hoban, Jr, MBA, BA

Excused: Jaeda Elvenia, MS, RN
Amy Stone Murai, MS, APRN
Stephen A. Kula, Ph.D., NHA

Staff Present: Lee Ann Teshima, Executive Officer ("EO")
Shari Wong, Deputy Attorney General ("DAG")
Lisa Kalani, Secretary

Guest: William "Bill" Richter
Lui Keoni Hinkle, University of Phoenix
Norinne Kaimikaua, University of Phoenix
Rose Jardin, University of Phoenix

Call to Order: The Chair called the meeting to order at 8:30 a.m. at which time quorum was established. The Chair excused Ms. Elvenia, Ms. Stone Murai and Dr. Kula. The Chair also asked the audience to introduce themselves.

Additions/Additional Distribution: None.

Approval of the Minutes: The Chair called for a motion in regards to the minutes of the May 2, 2013 meeting. There being no amendments, upon a motion by the Vice Chair, seconded by Dr. Cohen, it was voted on and unanimously carried to approve the minutes of the May 2, 2013 meeting as circulated.

Chair's Report: None.

Vice Chair's Report: The Vice Chair reported on her attendance at the NCSBN IT Conference in Florida. She stated that the conference was very informational with approximately 80 attendees made up of technology and lay people. There were some very advanced technology sessions. One of the major points of the Conference was paperless Board meetings. Some state boards only meet quarterly, which means a lot of paper. Some of the ideas are to assign an ipad to each member or stream the information onto a unit in the meeting room. The network would be secured and managed by a dedicated administrator. Another idea was a "Bring Your Own Device" policy where each member uses their own device (ipad, laptop) and through a specific program the information is pushed or loaded onto the device to be viewed by the member. After the meeting date, access to the information is removed.

Education Committee Report: Dr. Cohen reported on the following items discussed and recommendations made at the May 2, 2013 Education Committee meeting.

1. Hawaii Nursing Programs
 - University of Phoenix – Resignation of College of Nursing Dean and Academic Reorganization. Committee request additional information on new/interim administrator of nursing program.
 - Kauai Community College – Acknowledge receipt of Kauai's response to Committee's concern with low pass rate.
 - Chaminade University of Honolulu, School of Nursing – Accept Accreditation Self Study Report.
2. Foreign Educated Applicants
 - Jacqueline Veevers – Recommend accept CGFNS report to sit for RN NCLEX.
 - Anne Arulappen – Recommend not accept CGFNS report to sit for RN NCLEX. CGFNS reported that nursing program did not include psychiatric/mental health nursing clinical experience.
3. Old Business
 - Proposed Amendments to HAR Chapter 89 - Committee continued their discussion on "Distance Learning" programs.
 - Committee responded to requests from the University of Maine at Fort Kent and the University of Louisiana at Lafayette

Upon a motion by the Chair, seconded by the Vice Chair it was voted on and unanimously carried to accept the Education Committees recommendations.

Executive Officer's
Report:

Revised License Applications for RN, APRN and APRN with Prescriptive Authority

The EO reported that the question pertaining to prior convictions in the last 20 years was amended on the RN, APRN and APRN-Rx applications so that it no longer asks in the "last 20 years". So basically asking if an applicant ever had any prior convictions.

Mr. Hoban asked who authorized the change.

The EO stated that administration made the amendment to the applications.

Mr. Hoban stated he was concerned that administration has the authority to make determinations on the qualifications of an applicant.

The DAG stated that there is a section in HRS 436B that requires an applicant to provide information on his/her prior convictions for the Board's consideration and that particular section does not limit it to 20 years.

Conferences/Seminars/Meetings

NCSBN Discipline Conference, June 5-7, 2013

The EO reported that RICO Staff Attorney Diane Corn is currently attending the NCSBN Discipline Conference.

NCSBN Annual Meeting, August 14-16, 2013.

The EO reported that so far Ms. Stone Murai will be attending the annual meeting and if anyone else was interested to please let her know as soon as possible.

Mr. Hoban stated that he is interested and will check his schedule and let her know.

NCLEX Conference, September 9, 2013

The EO reported that Dr. Cohen will be attending this conference.

NCSBN Leadership and Public Policy Conference, September 17-19, 2013

The EO asked if anyone was interested in attending this conference.

Dr. Fleming stated that she is interested and will check her schedule.

2013 Renewal – Status

The EO reported on the following renewal numbers as of June 4, 2013:

APRNs: 781 have renewed out of 1,148 APRNs eligible to renew;
LPNs: 1,538 have renewed out of 2,896 eligible to renew; and
RNs: 14,407 have renewed out of 22,573 eligible to renew.

Dr. Fleming asked how many completed the survey.

The EO reported that according to Dr. LaVasseur, as of May 28, 2013, the current response rate was 6,574.

The EO also reported that there is still some confusion out there regarding the renewal requirements for the APRN-Rx and once the renewal period is over, the Rx licenses will be deleted from the license database. Therefore, those APRNs with prescriptive authority who did not submit proof of completing the CE requirement and national certification, will no longer be able to prescribe but will have until December 31, 2013 to submit the required continuing education and national certification in order to maintain their prescriptive authority.

Dr. Fleming stated the licensees were notified very early on about the change.

Correspondence

Prescriptive Authority for APRN for Controlled Substances, Monika Tomita

The Board discussed Ms. Tomita's email inquiry regarding prescriptive authority for schedule II drugs by a psychiatric mental health CNS who currently works in the Pain and Palliative Care Department at Queens.

Dr. Fleming stated that her specialty in psychiatric mental health nursing could qualify her to have prescriptive privileges for controlled substances. However, prescribing for pain is different than prescribing for psychiatric mental health conditions.

The EO stated that there is no APRN specialty for Pain and Palliative care.

Dr. Fleming stated that a chronic pain disorder can be a somatic disorder, if it's a somatic disorder it's a psychiatric disorder. If it's related to a physiological condition then it's a medical disorder, not a psychiatric disorder.

The Chair stated, if treating pain and palliative care patient falls under your APRN specialty as a psychiatric mental health APRN, then you may prescribe drugs within your recognized APRN scope of practice.

After further discussion, it was the consensus of the Board that an APRN shall practice in the area for which they have met the requirements (post graduate degree and national certification) and if the APRN has prescriptive authority, shall be able to prescribe a drug within the recognized APRN's scope of practice.

Nurse Medical Esthetician, Kevin Nishimura

The Board discussed Mr. Nishimura's email inquiry asking about the scope of practice of a "nurse medical esthetician".

After some discussion, it was the consensus of the Board that there is no specific nurse license for a "medical esthetician"; therefore, the Board is unable to respond to his question regarding the scope of practice for a "nurse medical esthetician".

Abandonment of Patient, HAR §16-89-60(6)(g), William Richter

The Board discussed Mr. Richter's email inquiry and also heard oral testimony from Mr. Richter regarding the evacuation during an active shooter event, and if said evacuation by a nurse would constitute "abandonment" under §16-89-60(6)(g).

The Chair stated under the current law, the only section that refers to "abandonment" specifically is under §16-89-60(6)(g) which states: Leaving a nurse assignment or abandoning a patient without properly notifying appropriate personnel. He stated that if the hospital has an active shooter policy, then the policy may cover the nurse should he/she leave the patient during such an incident and that the Board may take that into consideration should a complaint be filed against the nurse for abandoning his/her patient.

Mr. Richter asked the Board for a "policy" that the Board would not take disciplinary action against a nurse who left a patient in the event of an active shooter. He stated that many nurses feel that leaving a patient is going to somehow result in disciplinary action against their license.

The EO stated that if such a complaint is filed against a nurse under these circumstances, the Board would take all of the information into consideration, including any policies by the facility.

Mr. Richter stated that the California Board of Nursing took the position very clearly stating that leaving the scene of an active shooter would not constitute abandonment. However, what he is hearing from the Hawaii Board of Nursing is that if a hospital has an active shooter policy then leaving the scene will not be considered abandonment.

The Vice Chair informed Mr. Richter that if he wants the Board to say that this is not abandonment, then the law may have to be amended.

The Chair stated the reason the Board will not give a position statement the way Mr. Richter stated the California Board of Nursing did is because Board members change and therefore the position will not always be set. A nurse could have a lawsuit or complaint filed against them by the patients' family; it does not mean disciplinary action will become of it. Anyone can file a complaint and/or sue someone at anytime and there is nothing the Board can do to prevent that.

Mr. Richter stated that there are positions that can be taken by the Board.

Dr. Fleming stated that the Board doesn't even define "active shooter" so how can they form a policy?

Mr. Richter defined "active shooter" as someone who is actively engaged in taking lives usually by shooting.

The DAG asked Mr. Richter for a copy of the California Board of Nursing decision that he is referring to.

Mr. Richter stated he did not have a copy at this time but will get a copy to the Board.

Dr. Fleming stated every hospital is required to have a policy to protect the safety of its staff and that this should not be determined by the Board.

Mr. Richter stated that if a nurse asks him if this is considered abandonment, his response will be that the Board is unwilling to make such a determination.

The Chair stated that a more accurate response would be to provide the nurse with the section in the administrative rules.

Mr. Richter insisted that the Board is the disciplinary authority and should be able to make a decision.

The Chair stated that the hospital should develop an active shooter policy in conjunction with the current laws and rules, and as the law reads now, in his opinion, protects the licensee.

Mr. Richter stated he has a difference of opinion.

After further discussion, the EO informed Mr. Richter that she believes the Board has addressed his inquiry and that they will not provide a "policy" statement stating the Board has responded to your inquiry by giving you their informal interpretation.

The Chair stated that the California policy may not have as much weight as he thinks it does and that he doesn't believe any board would discipline a nurse for taking action to protect his/her own life, but the Board would like to review the California policy.

Mr. Hoban asked Mr. Richter to go back and check with the institutions to see if they have policy contingencies.

Mr. Richter stated that he does "training" for hospitals.

The Board deferred further discussion and requested for a copy of the California Board of Nursing's active shooter policy.

Hawaii State Center for Nursing (HSCFN)

The EO reported she will be meeting with Kathy Yokouchi sometime this month regarding fingerprinting (background checks) and changing the APRN "recognition" to an APRN "license".

The Chair stated that he believes that the concern with the APRN model is the issuance of a separate license for APRNs. In some states APRNs are not issued a separate license, but since Hawaii issues a separate license for APRNs this may not be an issue. He stated that he will check with the NCSBN and get back to the EO.

Applications: **Licensed Practical Nurses**

Ratification List

Upon a motion by the Chair, seconded by the Vice Chair, it was voted on and unanimously carried to ratify the attached list of LPNs (LPN-17546 to LPN-17555).

Executive Session:

At 9:45 a.m., upon a motion by Mr. Hoban, seconded by the Vice Chair it was voted on and unanimously carried to move into Executive Session in accordance with HRS, 92-5(a) (1) and (4), "To consider and evaluate personal information relating to individuals applying for professional or vocational licenses cited in section 26-9 or both;" and "To consult with the board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities".

At 10:05 a.m., upon a motion by the Vice Chair, seconded by Dr. Cohen, it was voted on and unanimously carried to move out of executive session.

Chapter 91, HRS
Adjudicatory Matters:

The Chair called for a recess from the meeting at 10:05 a.m. to discuss and deliberate on the following adjudicatory matter(s) pursuant to Chapter 91, HRS

Lora A. Stark, aka Lora A. Chen; RNS 2010-48-L, May 15, 2013, Letter from Respondent's Attorney, Joseph T. Rosenbaum, Requesting approval of continuing education courses in compliance with Board's Final Order dated January 23, 2013

Upon a motion by the Vice Chair, seconded by Mr. Hoban, it was voted on and unanimously carried to accept the continuing education courses.

Following the Board's review, deliberation, and decisions in these matters, pursuant to Chapter 92, HRS, the Chair announced that the Board would reconvene to its scheduled open meeting at 10:10 a.m.

Applications: **Licensed Practical Nurses**

LPN Applicants with prior convictions and/or disciplinary action

Upon a motion by the Vice Chair, seconded by Dr. Cohen it was voted on and unanimously carried to defer approval of the following application based on applicant not having practiced nursing within the last five years. The Board requires that the applicant pass the NCLEX PN exam or complete Board approved continuing education that includes 60 hours of didactic and 60 hours of clinical:

Henion, Russell

Registered Nurses

Ratification List

Upon a motion by the Chair, seconded by the Vice Chair, it was voted on and unanimously carried to ratify the attached list of RNs (RN 74197 to RN-74313).

RN Applicants with prior convictions and/or disciplinary action

Upon a motion by the Vice Chair, seconded by Dr. Cohen, it was voted on and unanimously carried to approve the following applications:

Becker, Jean
Blixt, Jennifer
Bowlby, Leslie
Brown, Shannon
Callaghan, Suzanne
Carey, Anna
Cheetham, John
Cooper, Johnelle
Doss, Porsche
Dowty, Tiana
Karas, Donna
Martin, Michelle
McNeeley, Allison
Moore, Diana
Ortiz, Jorge
Passaro, Katie
Redenius, Heidi
Shanks, Deonna
Shaughnessy, Patricia
Van Matre, Jodi
Traba, Ashley

RN Applicants with prior convictions and/or disciplinary action

Upon a motion by the Vice Chair, seconded by Dr. Cohen, it was voted on and unanimously carried to approve the following application and to inform the applicant that they must report outcome of the pending matter to the Board, within 30 days of the decision:

Batliner, Eddie Jo

RN Applicants with prior convictions and/or disciplinary action

Upon a motion by the Vice Chair, seconded by Dr. Cohen, it was voted on and unanimously carried to defer decision on this application until sufficient documentation is provided showing an unencumbered nurse license from another state.

Johnson, Patrice Anne

Advanced Practice Registered Nurse (APRN)

Ratification List

Upon a motion by the Vice Chair seconded by Dr. Cohen, it was voted on and unanimously carried to ratify the following applications for APRN, APRN-Rx and APRN-Rx for CS:

Pre-October 1, 2009 Requirements

Campbell, Richard
Durr, Benjamin

Current Requirements

Choi, Jane
Hamilton, Allie
Honda, Gina
Sullivan, Kathleen Marie

APRN Applicant with prior convictions and/or disciplinary action

Shaughnessy, Patricia

Advanced Practice Registered Nurse-Rx (APRN-Rx)

Davis, Tara
Ruiz, Estela

Advanced Practice Registered Nurse-Rx for Controlled Substances

Blandamer, Mildred A.
Fale, Dorothy
Hahn, Jaime
Scheer, Bruce
Wong, Christina

Executive Session:

At 10:13 a.m. upon a motion by Dr. Fleming, seconded by the Vice Chair it was voted on and unanimously carried to move into Executive Session in accordance with HRS, 92-5(a) (1) and (4), "To consider and evaluate personal information relating to individuals applying for professional or vocational licenses cited in section 26-9 or both;" and "To consult with the board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities".

At 10:19 a.m. upon a motion by Mr. Hoban, seconded by Dr. Cohen, it was voted on and unanimously carried to move out of executive session.

RN Applicants with prior convictions and/or disciplinary action

Upon a motion by the Vice Chair, seconded by Dr. Cohen, it was voted on and unanimously carried to withdraw the previous motion to approve the application and move to defer the following application until sufficient documentation is received showing an unencumbered nurse license.

Roundtree, Sheila

Next Meeting: The Chair announced the next scheduled Board meeting as follows:

Thursday, July 11, 2013
8:30 a.m.
Queen Liliuokalani Conference Room
King Kalakaua Building, 1st Floor
335 Merchant Street
Honolulu, Hawaii 96813

Adjournment: There being no further business to discuss, the meeting was adjourned at 10:22 a.m.

Reviewed and approved by:

Taken by:

/s/ Lee Ann Teshima
Lee Ann Teshima,
Executive Officer

/s/ Lisa Kalani
Lisa Kalani, Secretary

LAT:lk

6/24/13

[x] Minutes approved as is.
[] Minutes approved with changes; see minutes of _____.

LTYPE	LIC NUM	SORTNAME
LPN	17546	DAWSON JACQUELINE D
LPN	17547	ESTRADA LETICIA B
LPN	17548	DONAGHY BEVERLEY J
LPN	17549	GINGRICH RYAN S
LPN	17550	HORTON JONATHAN A
LPN	17551	CUMMINGS KELIS D
LPN	17552	MONTIZOR NICOLETTE K
LPN	17553	SAIMON MARY
LPN	17554	STILES ROBERT B
LPN	17555	CHRISTIAN EMILI F

LTYPE	LIC NUM	SORTNAME
RN	74197	PUNONGBAYAN MARY GRA
RN	74198	WALLACE TERICA R
RN	74199	HOUCHINS KIMBERLY J
RN	74200	GATTI STACY M
RN	74201	PARTOVI TRINA M
RN	74202	CAMARA GISELLE FATIM
RN	74203	CLIFTON LORI D
RN	74204	BAROSY MARCELLE
RN	74205	DO THUONG THI MONG
RN	74206	SUBBA KARISHMA
RN	74207	BALI ZACHARY D
RN	74208	YAMASHITA LIA-JANE K
RN	74209	KIM YUN SOOK
RN	74210	EUSEBIO JOMAESYS M
RN	74211	PARUBRUB-KAHA'ULELIO
RN	74212	SABIO MELANIE S M N
RN	74213	ARNALDO KIMBERLY M
RN	74214	SANTIAGO RYAN JAY V
RN	74215	SMITH SYRINA M
RN	74216	ROSSEETTI STEPHANIE
RN	74217	TSUKENJO SHAYNE A L
RN	74218	CORPUZ CHRISTY ANN
RN	74219	FOSTER KATHARINE L
RN	74220	GONZALES CAROLINE R
RN	74221	CHUN TINA A S
RN	74222	MARINAS JOY NICOLA A
RN	74223	BOSQUE REYMUND A
RN	74224	GASMEN EMMA C
RN	74225	GONZALEZ RACHEL L
RN	74226	RUSSELL NIKKI L
RN	74227	DUNCAN RACHAEL L
RN	74228	SKAGGS MARIE E
RN	74229	PRADO ERIC L
RN	74230	ROBLES ROBERT R A
RN	74231	RAULERSON VICTORIA A
RN	74232	SCHIDER CAITLIN E
RN	74233	WOOLMAN AARON L
RN	74234	SMITH HEATHER
RN	74235	STUHLMACHER ANN E
RN	74236	HERNANDEZ SAMANTHA K
RN	74237	AKUFUNA MUKWATI
RN	74238	HAYES BONNIE J
RN	74239	BEGLEY DANIELLE K
RN	74240	HICKENS NIKKI K
RN	74241	MCADAMS TRACY C
RN	74242	DAVIS TARA P
RN	74243	WHITE HEAVEN L
RN	74244	SALVIEJO EARL D E
RN	74245	CLARK BLAIR N
RN	74246	GUEVARRA OLIVER A
RN	74247	ROTHE DARLENE W
RN	74248	GRUENES TAMARA L
RN	74249	CREWS APRIL L
RN	74250	BEEBE SARAH R
RN	74251	UTHOFF MEREDITH L
RN	74252	MARTIN NICOLE J
RN	74253	BARTELL DANIELLE R

LTYPE	LIC NUM	SORTNAME
RN	74254	BROOKS BOBBIE J
RN	74255	ENGLAND TINA M
RN	74256	MCCORMACK CATHERINE
RN	74257	DURBIN JENNA
RN	74258	BIGELOW TERRENCE D
RN	74259	JAHRSDOERFER ALEXA T
RN	74260	BERLAND JANET
RN	74261	LAGIER TENNILLE L
RN	74262	TOMLINSON JULIE
RN	74263	GRIFFIN KERRI L
RN	74264	OLSEN JERRI L
RN	74265	TERWILLIGER-MOORE CR
RN	74266	KENNEDY BERNADETTE F
RN	74267	LOUD JENNIFER M
RN	74268	MCMAHON GINA M
RN	74269	LANDERMAN JONATHAN K
RN	74270	ANTONIO ETHEL
RN	74271	FERNANDEZ NEAL C
RN	74272	TUNGPALAN RONELYNE A
RN	74273	YOUNG AMANDA C M I
RN	74274	ALCANTARA CRYSTAL V
RN	74275	POISSANT LAUREN R
RN	74276	QUIAMBAO CARLA L
RN	74277	MAGALLANES MONICA A
RN	74278	HENRY TROY M
RN	74279	CAMPBELL RICHARD A
RN	74280	ORLINO GAIL A
RN	74281	GLORIOSO JENNIFER L
RN	74282	OXILES KIMBERLY L
RN	74284	GOZUM CRISTINE J
RN	74285	VALDEZ SHANE K
RN	74286	BOWMAN MARY E
RN	74287	ELLIS JODIE J
RN	74288	VERLAUTZ LORI L
RN	74289	SHAIRA M R MORALES<
RN	74290	MARTINEZ JASMINE J
RN	74291	HEDLUND CODIE G
RN	74292	WILLIS BETTY D
RN	74293	SHANNON THOMAS B
RN	74294	BERMEA CARLIE J
RN	74295	CALA JENIPHER E
RN	74296	KRAWCHUK AMANDA C
RN	74297	GENTILE CHARISE R
RN	74298	CONNELY MAUREEN
RN	74299	MCDONOUGH KIMBERLY S
RN	74300	LIGHTFOOT NATHAN M
RN	74301	GUESE LISA G
RN	74302	HARKNESS ROBERT R
RN	74303	DURR BENJAMIN M
RN	74304	HARDISON MEGAN L
RN	74305	LIBBY KAREN
RN	74306	CHILSON BETTY L
RN	74307	DILLARD JEANEAN M
RN	74308	PORTER HOLLY
RN	74309	FREDRICKSON JAMEE C
RN	74310	WHEELER NATALIE J
RN	74311	FERRELL MARSHA L

LTYPE	LIC NUM	SORTNAME
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RN	74312	OHLSON SUSAN
RN	74313	PULE KERI M