

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, February 2, 2012

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, MS, APRN, Chair
Cecilia P.S. Mukai, Ph.D., APRN, Vice Chair
Denise L. Cohen, MS, APRN
Jaeda Elvenia, RN
Lorraine Fleming, APRN
James Hoban, Jr., MBA, BA
Amy Stone Murai, MS, APRN

Member Excused: Stephen Kula, Ph.D., NHA

Staff Present: Lee Ann Teshima, Executive Officer ("EO")
Shari Wong, Deputy Attorney General ("DAG")
Faith Nishimura, Secretary
Lesley Matsumoto, Secretary

Guests: Kathleen Yokouchi
Nur Rajwany, Chief Information Officer, National Council of State Boards of Nursing
Lori Scheidt, Director, Missouri Board of Nursing

Call to Order: The Chair called the meeting to order at 8:35 a.m. at which time quorum was established.

The Chair excused Dr. Kula from today's meeting.

Additions/Additional Distribution: The Chair called for a motion to add the following items to today's agenda:

Additions

9. Applications
 - c. Registered Nurses (RN)
 - 2) RN Applicants with prior convictions and/or disciplinary action
 - vii. Gunther, Ryan
 - viii. Hale, Elena
 - ix. Ledesma, Alisa
 - x. Longford, Mackensie
 - xi. Rose, Brian

- d. Licensed Practical Nurses (LPN)
 - 3) LPN Applicants with prior convictions and/or disciplinary action
 - i. Higa, Derick
 - ii. Sequeira, Clovis
- 10. Chapter 91, HRS, Adjudicatory Matters
 - b. Preliminary Approval of Continuing Education Course – Ethics for Proposed Settlement Agreement

Upon a motion by the Vice Chair, seconded by Ms. Stone Murai, it was voted on and unanimously carried to add the previously mentioned items to today's meeting agenda.

The Chair announced that the following items were distributed to the members as additional distribution:

Additional Distribution

- 6. Executive Officer's Report
 - a. Updated 2012 Legislature Report
- 7. Education Committee
 - b. Quarterly Reports
 - 1) Hawaii Pacific University Quarterly Report for the Period Covering October – December 2011

Approval of the Minutes: The Chair called for a motion in regards to the minutes of the January 5, 2012 meeting.

On page 3, under Correspondence, **Medicare Certified Agency Accepting Orders from Nurse Practitioners**, line 2 should read, "Ms. Yvonne Geesey requested a copy of the information for the HSCFN APRN committee attempting to identify laws and regulations that restrict an APRN's practice."

Upon a motion by the Vice Chair, seconded by Mr. Hoban, it was voted on and unanimously carried to approve the minutes of the January 5, 2012 meeting as amended.

Chair's Report: The Chair introduced and welcomed new Board member Loraine Fleming.

Copies of an article from Midweek entitled "Nursing Capital of the Pacific" about the simulation lab at the University of Hawaii at Manoa, School of Nursing and Dental Hygiene was provided to members.

Vice Chair's Report: The Vice Chair stated that she did not have anything to report.

Executive Officer's Report: **2012 Legislature**

The EO presented the Board with the following bills for discussion and decision making:

SB 2103 – Relating to Health

This bill amends the definition of "the practice of nursing as a registered nurse" to require registered nurses to carry out the orders of a physician that are delivered through a physician assistant acting as an agent of the supervising physician.

The Board noted that a similar bill was introduced last year and that the Board had expressed concerns that the amendments might be construed as a "double" delegation" and questioned if this authority to delegate was an expansion of the physician's assistant scope of practice and deferred to the Hawaii Medical Board.

The Chair noted that he did not see a "need" for the amendment.

Ms. Stone Murai stated that it may be that the employers wanted this amendment for clarification. She also noted that the brief description of the bill seems to compel the nurse to follow the PA's orders, while the actual section being amended allows the nurse to use professional judgment in carrying out medical orders.

The EO asked if current practice allowed a registered nurse to accept the orders of a physician through a physician assistant.

The Chair stated that registered nurses may accept the orders of a physician and carry out those orders if relayed through the physician assistant as long as the physician assistant is not acting independently and that the nurse is able to use professional or reasonable judgment in carrying out the prescribed order(s).

It was the consensus of the Board that they have no strong objections to the proposed amendments in SB 2103, but that the amendments do not change current practice

HB 2023/SB 2182 – Relating to the Center for Nursing

These bills makes permanent, the assessment and deposit of center for nursing fees into the compliance resolution fund and distribution of those funds to the credit of the center for nursing special fund.

It was the consensus of the Board to support these bills.

HB 2331 – Relating to Advance Practice Registered Nurses

This bill authorizes advanced practice registered nurses to certify death certificates and certificates of disability for disabled persons to obtain parking placards.

Ms. Stone Murai stated that the certificate of disability for parking placards was pulled out of the "global signature" authority bill a few years ago because there was a misconception that federal regulations prohibited anyone but a physician from signing. This prohibition is not found in either statute or regulation but is merely the wording on the application form.

Ms. Yokouchi stated that this is another barrier for APRNs to practice.

It was the consensus of the Board to support this bill so that APRNs may practice within their scope and without further restrictions to the provision of health care services to individuals of this State.

HB 2621/SB 2883 – Relating to the Center for Nursing

These bills eliminate the sunset date on the deposit of certain nursing fees into the compliance resolution fund and distribution of the funds to the credit of the center for nursing.

It was the consensus of the Board to support these bills.

Conference/Meetings/Seminars

The Chair deferred Dr. Kula's report on his attendance at the World Café Meeting.

Education Committee Report:

Ms. Cohen made the following recommendations:

Annual Reports – Deferred to Board from December 1, 2011 and January 5, 2012 Board Meetings

University of Phoenix

The additional information that was requested from Ms. Dreflak was not received and Ms. Cohen recommends that approval of the annual report for the University of Phoenix be deferred.

Quarterly Reports – Deferred to Board from December 1, 2011 and January 5, 2012 Board Meetings

Hawaii Pacific University

Ms. Cohen recommended that the Board accept the quarterly report for the period covering October – December 2012 and that HPU remain on quarterly report status. The next quarterly report for the period covering January – March 2012 is due to the Board for review at the May 3, 2012 meeting.

University of Phoenix

Ms. Cohen reported that both Dean Fuller and Ms. Tali were not able to appear before the Board to respond to questions regarding the last quarterly report submitted and recommended that this matter also be deferred.

Upon a motion by Ms. Cohen, seconded by Ms. Stone Murai, it was voted on and unanimously carried to accept the recommendations from the Education Committee Chair.

Next Education Committee Meeting

Ms. Cohen announced that the next Education Committee meeting will be held on April 5, 2012, immediately following the Board meeting.

Old Business:

Amendments to HAR Title 16, Chapter 89 – Status Report

The EO reported that the Legislative Reference Bureau had made some comments and minor formatting changes and that a copy was transmitted to the DAG for her review and determination if the recommendations by the Legislative Reference Bureau were substantive or not.

The DAG stated that she had not completed her review of the draft of the rules.

Participation in NURSYS – Presentation

The Chair stated that he was deferring this presentation to the end of the meeting.

Discussion/Consideration of Verifying LPN/RN/APRN License(s) of All States for Applicants Applying for Hawaii LPN/RN/APRN License

The Chair stated that he was deferring this discussion.

Board Member Vacancies

The EO stated that, with the appointment of Ms. Fleming, the only vacancy is the LPN position. If anyone knows of an Oahu-based LPN who is interested, to please have them contact the Governor's Office or go online to complete the form.

Open Forum:

The Chair stated that he would like the Board members to consider the following matter for discussion and decision making at the next Board meeting:

Delegating to the EO, the ability to approve applicants who have had prior convictions which the Board reviewed and approved for licensure, e.g. LPN, and who has not had any subsequent convictions or disciplinary actions since the Board's review and are now applying for RN licensure. He stated that having to re-review the same information was unnecessary.

Executive Session:

At 9:06 a.m., upon a motion by Ms. Cohen, 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 9:26 a.m., upon a motion by the Vice Chair, seconded by Ms. Cohen, it was voted on and unanimously carried to move out of Executive Session.

Adjudicatory Matters:

The Chair called for a recess from the meeting at 9:26 a.m. to discuss and deliberate on the following adjudicatory matter(s) pursuant to Chapter 91, Hawaii Revised Statutes ("HRS"):

In the Matter of the License to Practice Nursing of Jessica A. Rooney, RNS 2009-8-L, Report from Monitor, Patricia Mosher for Period Covering October – December 2011

Mr. Hoban asked how the Board knows if Ms. Rooney is complying with the terms of monitoring of the Settlement Agreement. Is it just based on the monitor's report?

The DAG stated that the monitor was responsible for ensuring that Ms. Rooney complies with the any tests, etc. as described in the Settlement Agreement however, if the Board wants to see those reports that they can ask for them.

Upon a motion by the Vice Chair, seconded by Ms. Cohen, it was voted on and unanimously carried to accept Ms. Mosher's monitor report for Ms. Rooney for the period covering October – December 2011 and that for the next monitor report for the period covering January – March 2012, that Ms. Mosher also include documentation of

Ms. Rooney's compliance with the terms of the Settlement Agreement including but not limited to:

- Proof that Ms. Rooney is employed in non-clinical nursing field which does not involve administration or dispensing of narcotic medications;
- Change of employment, if applicable;
- Any drug screening results for the reporting period;
- Proof of attendance/participation in the Honolulu Professionals Program
- Proof of attendance for therapy sessions with Jon Keenan, PhD or other psychologist or psychiatrist; and
- Proof of attendance at AA meetings.

Preliminary Approval of Continuing Education Course – Ethics for Proposed Settlement Agreement

The DAG stated that it makes no sense for the Board to approve a course for a settlement agreement for which they have no knowledge of the case or allegations.

The Board shared the DAG's concerns and upon a motion by the Vice Chair, seconded by Ms. Cohen, it was voted on and unanimously carried to inform Mr. Kau that the Board determined that they had insufficient information about the facts or allegations of the case to "pre-approve" a course to be part of a settlement agreement.

Following the Board's review, deliberation, and decisions in these matters, pursuant to Chapter 92, HRS, the Vice Chair announced that the Board would reconvene to its scheduled open meeting at 9:36 a.m.

Applications:

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

Advanced Practice Registered Nurse-Rx (APRN-Rx)

Caneda, Cherlyn
Chacon, Jacqueline
Gray, Rebecca
Heaney, Mary

Kracher, Stacy
Sanders, Paula Ann

Upon a motion by Ms. Cohen, seconded by Ms. Stone Murai, it was voted on and unanimously carried to approve the following applications for APRN:

Advanced Practice Registered Nurse (APRN)

Pre-October 1, 2009 Requirements

Beam, Barbara
Skinner, Sarah

Van Camp, Kari

Current Requirements

Gray, Rebecca

Registered Nurse

Ratification List

Upon a motion by the Chair, seconded by Ms. Cohen, it was voted on and unanimously carried to ratify the attached list of RNs (RN-71158 to RN-71281).

RN applicant(s) with prior convictions and/or disciplinary action:

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

Bareng, Mitchell
Kaiser, Brandi
Leong, Kourtnei
Lindstrom, Yvonne
McQuigg, Anson
Medeiros, George
Gunther, Ryan
Hale, Elena
Ledesma, Alisa
Longford, Mackensie
Rose, Brian

RN applicant(s) – Foreign Educated

Upon a motion by Ms. Cohen, seconded by the Vice Chair, it was voted on and unanimously carried to accept the CGFNS report for the following applicant:

Zepeda, Yasmin

Upon a motion by Ms. Cohen, seconded by the Vice Chair, it was voted on and unanimously carried to defer the following application as the CGFNS report did not indicate any maternal/infant clinical hours:

Tu, Yu-Fang (Candece)

Licensed Practical Nurse

Ratification List

Upon a motion by the Chair, seconded by Ms. Cohen, it was voted on and unanimously carried to ratify the attached list LPNs (LPN-17195 to LPN-17212).

LPN applicant(s) – Foreign Educated

Upon a motion by Ms. Cohen, seconded by the Vice Chair, it was voted on and unanimously carried to accept the CGFNS report for the following applicant:

Ye, Jin

LPN applicant(s) with prior convictions and/or disciplinary action

Upon a motion by Ms. Cohen, seconded by the Vice Chair, it was voted on and unanimously carried to approve the following application(s):

Higa, Derick
Siqueira, Clovis

Old Business:

Participation in NURSY – Presentation

The Chair introduced Mr. Rajwany and Ms. Scheidt of the Missouri Board of Nursing.

Mr. Rajwany did a presentation on NCSBN's NURSYS program, a discipline and license data base that included the following:

- Participation by the Hawaii Board of Nursing will allow the Board to be collaborative, promote efficient operations, increase customer satisfaction and better public protection. Share licensure and disciplinary action with other Boards of Nursing and publicly share available discipline and license data with employers, emergency response organizations and the general public.
- The Board has complete control of Hawaii data and is responsible and accountable for the data in NURSYS. Licensure and disciplinary data are for the private use of Boards of Nursing. Other data is publically available.
- NURSYS no cost services include discipline report alert, access to sex offenders report and social security death index report (theft identity issue), licensure statistics and submission service to the Healthcare Integrity Protection Databank (HIPDB) and National Practitioners Databank (NPDB). Real-time information about out of state disciplinary actions would be available for license renewal as well as license verification for emergency response needs.
- Currently, there are 48 fully participating Boards of Nursing who provide both licensure and disciplinary information to NURSYS. Aggregate reports of nationwide data are done daily (vs. every 2 years by HHS) based on data from all contributing Boards. The reliability of these reports is dependent on the accuracy of information contributed by each state.
- 43 states have made NURSYS their agent for the HIBPD/NPDB.
- By participating, Hawaii can assist other Boards of Nursing by sharing discipline information, allowing other Boards to stay proactive.
- By not participating, other Boards of Nursing are unaware of disciplinary action taken by the Hawaii Board of Nursing, nor is Hawaii notified that any of its licensees have been disciplined in another jurisdiction.

Ms. Scheidt did a presentation on the Missouri Board of Nursing and the compact licensure program and how the program has had a positive impact on their workload, the licensees and the public. Nurses must be licensed in the state where the patient is

located. She reviewed single state and multistate licensure. Missouri issues a plastic credit card-like initial license without expiration date. Currency and restrictions must be verified through NURSYS. The cards contain a magnetic strip that contains information that can be uploaded via card reader (e.g. CEUs).

The Chair thanked both Mr. Rajwany and Ms. Scheidt for their presentation and asked the Board if they had any questions.

The DAG asked to review the NURSYS policies and procedures and if they had any information on how other states that are participating but have expressed concerns in regards to the social security number, are able to participate. She was assured that this information is available to her.

Next Meeting: Thursday, March, 1, 2012
8:30 a.m.
Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, 3rd Floor
Honolulu, Hawaii 96813

Mr. Hoban stated that he will be unable to attend.

Adjournment: There being no further business to discuss, the meeting was adjourned at 11:05 a.m.

Taken by:

/s/ Lee Ann Teshima _____
Lee Ann Teshima
Executive Officer

LAT:fn

2/21/12

[] Minutes approved as is.
[X] Minutes approved with changes; see minutes of 3/1/12.

LTYPE	LIC NUM	SORTNAME
RN	71158	SALVADOR ELAINE E
RN	71159	SAAVEDRA ERIK M
RN	71160	BOGGS HANNAH D
RN	71161	LOZANO JUSTIN E
RN	71162	KIM SATSUKI T
RN	71163	SAYAT CATHY T
RN	71164	KAHANA-NAIPO LISA P
RN	71165	KAMAKEEAINA MELANIE
RN	71166	CROSBY RANI
RN	71167	OKADA TOMOKO
RN	71168	MACIAS CYNTHIA C
RN	71169	GEBLER JAIMIE A
RN	71170	ANDOUÉ RAYNE M
RN	71171	JAMITO PATRICIA G L
RN	71172	BRAITHWAITE JENNIFER
RN	71173	SHIBUYA JILL A
RN	71174	TOLENTINO HAYDEE P
RN	71175	JOSEPHINE L <BOYCE
RN	71176	ROCKETT STACEY D
RN	71177	ELLIS JENNIFER L
RN	71178	SASAKI KELLY A
RN	71179	AIRINEI MICHELLE
RN	71180	DENHART TERI L
RN	71181	RIDINO SAM E
RN	71182	YODER TYLER C
RN	71183	ODONNELL JOHN D
RN	71184	WILLIAMS GREGORY S
RN	71185	HANNAH SANDRA K
RN	71186	ROGGOW CRAIG
RN	71187	SUTHERLAND LAURIE K
RN	71188	FAVERO GENA M
RN	71189	NAVAH ILAN Y
RN	71190	VAUGHAN-JONES DIANA
RN	71191	WHITT CAROLYN E
RN	71193	NGUYEN KIEU T
RN	71194	WELTLICH MICHAEL A
RN	71195	JOHNSON KAYLA B
RN	71196	ZEIS CHERYL D
RN	71197	GRAHAM KATHERINE E
RN	71198	ZETTS KAREN S
RN	71199	HAYES JESSICA N
RN	71200	WILSON TAWNIA R
RN	71201	KLOS DIANE
RN	71202	BRADLEY SHANNON L
RN	71203	MATTHEWS SHANNEL R
RN	71204	JOHNSON MARSHA K
RN	71205	FLETCHER EMILY L
RN	71206	CAPASSO MEGHAN M
RN	71207	JOHNSON CELIA E
RN	71208	SIMEN BETHEL A
RN	71209	COOPER ALLISON M
RN	71210	SMITH BRIAN C
RN	71211	OLVERA-JACKSON ZAIRA
RN	71212	BRAHMBHATT DAKSHA S
RN	71213	MORGAN ALYSSA P
RN	71214	MORGAN MATTHEW
RN	71215	SORENSEN KATIE E

LTYPE	LIC NUM	SORTNAME
RN	71216	BUDD JAMES T
RN	71217	CONGER CAROL S
RN	71218	FIESTER LAUREN E
RN	71219	NEVES ALANNA M
RN	71220	PACK JENNIFER L
RN	71221	WALTERS DONNA L
RN	71222	VALENCIA RACHELLE R
RN	71223	MAYORGA LESLIAM J
RN	71224	SHIGEMOTO TRYSON I
RN	71225	GADDI JEFFREY T
RN	71226	KELLY MALIA K
RN	71227	FUQUA CHERISSE N
RN	71228	WILLIAMS RAEMIE R
RN	71229	MARKEY LORNA
RN	71230	MADRID DEIRDRE S
RN	71231	HANIF ANAMEEKA Z
RN	71232	CRAWFORD SHERRY L
RN	71233	MANTLE CHERYL E
RN	71234	NASRI CHRISTOPHER M
RN	71235	SONDGEROTH MARIA I
RN	71236	LAKE FOSTER R
RN	71237	WOMBWELL MARY K
RN	71238	ANDERSON AMBER V
RN	71239	CHINEN BRUCE K
RN	71240	COOK ELIZABETH S
RN	71241	CRUZ MARIA V J
RN	71242	FOOTS SONJA D
RN	71243	FRANTZ TRUDY K
RN	71244	FRY JULIE A
RN	71245	GALLO MARY J
RN	71246	GARNER ANGELA M
RN	71247	HALL LAKISHA R
RN	71248	HARRIS JENNIFER D
RN	71249	HOGAN CATHRYN E
RN	71250	JENSEN STACY L
RN	71251	JUSTUSSON DIANE M
RN	71252	LEGREE DANIELE L
RN	71253	NEPTUNE-HOOD BRIDGID
RN	71254	PECHEK JAMIE N
RN	71255	REAMS KATHRIN S
RN	71256	SCHLESSMAN MARY S
RN	71257	BROUGHTON JODIE L
RN	71258	BASCOE APRIL A
RN	71259	DEANGELIS LOREDANA
RN	71260	THERESA M <LYONS
RN	71261	GARVANSITES STACEY A
RN	71262	WINTLE TEISHA M
RN	71263	MURPHY NANCY J
RN	71264	ADDISON DIAHANN N
RN	71265	SHANLEY AMY R
RN	71266	DONNELLY JULIE A
RN	71267	HERBST JESSICA
RN	71268	HANSEN ANGELIQUE M
RN	71269	RAGONA HEATHER L
RN	71270	GREENBERG TERA L
RN	71271	BAILEY MAURA T
RN	71272	BROADBENT ELLEN R

LTYPE	LIC NUM	SORTNAME
RN	71273	HOOVER BARKLEY A
RN	71274	INGRAHAM KATHRYNE M
RN	71275	BERNALDEZ KAREN S
RN	71276	KIM JEANNIE H
RN	71277	GIBSON CHARLES W JR
RN	71278	VALENTINE MARGARET C
RN	71279	MALLARE LEILANI J
RN	71280	BOHMER CARRIE
RN	71281	ROBINSON MALISHA R

LTYPE	LIC NUM	SORTNAME
LPN	17195	BADUA JACQUELINE P
LPN	17196	QUIOCHO-DOLES CHARIT
LPN	17197	BAUTISTA ASHLYNN MAR
LPN	17198	SHANKS CRYSTAL M
LPN	17199	HESTER TREVIRA N
LPN	17200	BOUCHARD TIFFANY A D
LPN	17201	MARK MARCI L
LPN	17202	LANE MATTHEW J
LPN	17203	DURUAMAKU MICHAEL
LPN	17204	TADANI TERYN E
LPN	17205	DOMINGO KOURTNI R T
LPN	17206	LAGUIT DRICK-JOHN M
LPN	17207	MORALES JERI S
LPN	17208	LACSINA STACEY A C
LPN	17209	HARRISON BILLY L
LPN	17210	DWYER-URQUILLA DREAM
LPN	17211	HENRY LAI LANI M
LPN	17212	CARPIO CHRISTINE S