

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, July 7, 2011

Time: 9:30 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, S, APRN, Education Chair
James Hoban, Jr., MBA, BA
Amy Stone Murai, MS, APRN

Members Excused: Stephen Kula, Ph.D., NHA
Jaeda Elvenia, RN

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

Guests: Suzann Filleual, RN Executive, Kaiser Permanente
Gail Tiwanak, Director, Hawaii State Center for Nursing

Call to Order: The Chair called the meeting to order at 9:33 a.m. at which time quorum was established.

The Chair excused Dr. Kula and Ms. Elvenia from today's meeting.

Approval of the Agenda: The Chair called for a motion for today's agenda, there being no additions or additional distribution, upon a motion by Ms. Cohen, seconded by Ms. Stone Murai, it was voted on and unanimously carried to approve the agenda as circulated.

Approval of the Minutes: The Chair called for a motion in regards to the minutes of the June 2, 2011 meeting.

The Vice Chair recommended the following change to the minutes:

On page 1, the meeting time should be changed to:

"9:37 a.m."

There being no further amendments to the minutes, upon a motion by Ms. Cohen, seconded by the Vice Chair, it was voted on and unanimously carried to approve the minutes of the June 2, 2011 meeting as amended.

The Chair called for a motion in regards to the Executive Session minutes of the June 2, 2011 meeting.

Executive Session:

At 9:35 a.m., upon a motion by Dr. Mukai, seconded by Ms. Cohen, 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 9:40 a.m., upon a motion by Dr. Mukai, seconded by Ms. Cohen, it was voted on and unanimously carried to move out of Executive Session.

Upon a motion by Ms. Cohen, seconded by Ms. Stone Murai, it was voted on and unanimously carried to approve the executive session minutes of the June 2, 2011 meeting as amended.

Chair's Report:

The Chair reported that HB 484 was signed into law by Governor Abercrombie.

Vice Chair's Report:

None.

Executive Officers
Report:

2011 Legislation

The EO reported on the following measures:

Act 110, SLH 2011 (HB 484, SD2, CD1) – Relating to Advanced Practice Registered Nurses

The Governor signed the bill into law on June 14, 2011. The practice committee is working on amendments to HAR Chapter 89 to align the rules with the amendments made to the statutes.

HR 48/HCR 55 – Requesting the Development and Implementation (By the Board of Nursing) of a Pain and Palliative Care Policy

The EO is still working on the report to the Legislature.

APRN Task Force – June 8, 2011 Meeting

Ms. Tiwanak from the Hawaii Center for Nursing ("Center") reported that the Center is working with a representative group of APRN's in the community to collectively identify barriers to nursing practice and develop strategies to eliminate them. They also agreed to develop a one page document to be delivered to Hawaii's Congressional delegation by Dale Alison, Center's Chair, and Mark Foreman, Administrator for HMSA Foundation during their trip to Washington D.C. funded by the Robert Wood Johnson Foundation ("RWJF"). RWJF in partnership with AARP hosted a media/communication training workshop for states with action coalitions and those in development. Visits with the Congressional delegation was part of the three day agenda.

Conferences/Meetings/Seminars

2011 NCSBN Annual Meeting

The Vice Chair and Ms. Elvenia will be attending the 2011 NCSBN Annual Meeting in Indianapolis, Indiana, August 3-5, 2011.

2011 Leadership and Public Policy Conference, October 4-6, 2011, Alexandria, Virginia

A copy of the notice was distributed to the Board members for their information.

Education Committee Report:

Ms. Cohen reported that the committee will be meeting after the Board meeting today.

Practice Committee Report:

Ms. Stone Murai reported on the following:

APRN-Rxs Prescribing Controlled Substances

Act 110, SLH 2011

The committee discussed the amendments to HRS 457 as a result of Act 110, SLH 2011.

Joint Formulary Advisory Committee ("JFAC") – Exclusionary Formulary for APRN-Rxs for Controlled Substances

The Committee has advised the EO to convene the JFAC to review the revised exclusionary formulary, which the Board will be reviewing at their August meeting.

Requirements

The Committee discussed the requirements for APRN-Rx to prescribe controlled substances and it is the committee's recommendation to delete the following requirements currently specified in section 16-89-119: a Hawaii Oral Code and registration issued by the Department of Public Safety, Narcotics Enforcement Division and U.S. Drug Enforcement Agency ("DEA") registration. The Committee determined that these items should not be considered "license requirements" by the Board.

Amendments to HAR Chapter 89

The EO will be working on a draft of amendments to HAR Chapter 89 to align the administrative rules with the current statutes.

Next Meeting

The Practice Committee will meet before the Board meeting on August 11, 2011 at 8:30 a.m.

Ms. Cohen moved to accept the Practice Committee's report, it was seconded by the Vice Chair, it was voted on and unanimously carried.

Old Business:

Proposed Amendments to HAR Chapter 89

As previously reported, the EO will be working on a draft to align the administrative rules with the recent changes to the statutes.

Center for Nursing, Continuing Education Joint Advisory Committee – Continuing Competency

Copies of materials were distributed to the Board members for their information.

Correspondence:

University of Hawaii @ Manoa School of Nursing and Dental Hygiene's Doctor of Nursing Practice

A copy of the notice was distributed to the Board members for their information.

Public Health Nurses

The Board discussed and reviewed an email inquiry from Evelyn Boiser regarding concerns by Kauai Public Health Nurses ("PHN") over school health aids. The practice concerns the administration of medication by unlicensed assistive personnel in the school after the PHN provides his/her recommendation after performing a consultation/assessment. Ms. Boiser's concern is that "According to the nurse practice act only a licensed professional nurse can delegate the nursing task and all the components of delegating must be in place including training and evaluating the person performing the task. Principals can assign a task but not delegate a nursing task. Since we are no longer the supervisors for the school health aids and our MOU has expired we can no longer delegate this task." Ms. Boiser stated that they are concerned "about their liability by agreeing to do the procedure as it is currently being outlined."

After some discussion, the Board determined that based on the email, it did not appear that a "nurse" was involved in the delegation of certain nursing task to a school health aide, therefore, the nursing laws and rules may not apply. Furthermore, HRS §321-242 (School Health Services Program) was repealed.

Also, it was not clear what kind of "consultation" public health nurses provide so the Board could not further address this issue.

RN's Initiating, Rebolus and Maintain the PCA Pump Following Epidural Placement

The Board discussed and reviewed an email from Rachel Boyette regarding changing the epidurals to PCA pumps and expecting the role of an RN to initiate, rebolus, and maintain the PCA pumps following epidural placement by the anesthesiologist. Ms. Boyette stated that she researched at AWHONN's website for these procedures, which it states that it is outside the scope of practice for RN's.

After some discussion, the Board determined that although the scope of practice of an RN does not specify whether or not the tasks described in the email falls within the scope of practice of an RN, practice as an RN means the full scope of nursing, that incorporates all settings and is guided by the scope of practice authorized by the Board and the National Council of State Board's of Nursing ("NCSBN") Model Nursing Practice Act and Model Nursing Administrative Rules and that the performance of such acts should commensurate with the required education and demonstrated competency of the individual.

In addition, scope of practice established by the Board and the NCSBN shall serve as general guidelines and are not intended to address the appropriateness of the use of specific procedures in any particular work setting or to grant permission to implement specific procedures in any particular work setting.

Midwife Licensing

The Board discussed and reviewed an email inquiry from Mary Ann Edsall regarding midwife licensing.

The Board determined that a nurse-midwife falls under an Advanced Practice Registered Nurse and that "midwives" that are not nurses do not fall under the Board's authority.

The EO stated that she also checked with the State Department of Health and was informed that they no longer register midwives.

CMS Issues Proposed Rule for the 2011 Electronic Prescribing Incentive Program and First Medicare HER Incentive Program Payments

A copy of the notice was distributed to the Board members for their information.

"Nurse practitioners as an underutilized resource for health reform: Evidence-based demonstrations of cost-effectiveness"

A copy of the notice was distributed to the Board members for their information.

NCSBN Interactive Offerings

A copy of the notice was distributed to the Board members for their information.

Can an LPN Practice IV Therapy, Dialysis or Venipuncture?

The Board discussed and reviewed an email inquiry from Misty Cain asking if an LPN's scope of practice includes IV therapy, dialysis, or venipuncture and what specific medications can or cannot be administered by an LPN or dialysis procedures.

After some discussion, the Board determined that although the scope of practice of an LPN does not specify whether or not the tasks described in Ms. Cain's email falls within the scope of practice of an LPN, practice as an LPN takes place under the direction of a registered nurse, advanced practice registered nurse, licensed physician or other health care provider authorized by the State and is guided by the scope of practice authorized by the Board and the NCSBN Model Nursing Practice Act and Model Nursing Administrative Rules and that the performance of such acts should commensurate with the required education and demonstrated competency of the individual.

In addition, scope of practice established by the Board and the NCSBN shall serve as general guidelines and are not intended to address the appropriateness of the use of specific procedures in any particular work setting or to grant permission to implement specific procedures in any particular work setting.

Executive Session:

At 10:17 a.m., upon a motion by Dr. Mukai, seconded by Mr. Hoban, 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 10:50 a.m., upon a motion by Mr. Hoban, seconded by Ms. Cohen, it was voted on and unanimously carried to move out of Executive Session.

Applications:

Advanced Practice Registered Nurse-Rx (APRN-Rx)

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

FRANCL, Mary
NELSON, Amy C.
PASCUAL, Susan F.

Advanced Practice Registered Nurse (APRN)

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

FERGUSON, Dawn L.

The Board reviewed Ms. Carol E. Gutierrez's request to qualify for APRN recognition with a Master's Degree in Nursing ("MSN"). Upon a motion by the Vice Chair, seconded by Mr. Hoban, it was vote on and unanimously carried to deny the applicant's request to change the method of licensure for the applicant's APRN recognition from national certification to the MSN because the curriculum did not include pathophysiological, pharmacology or physical assessment courses.

GUTIERREZ, Carol E.

Registered Nurse

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-69770 to RN-69842).

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

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

BRYANT, Robert Alan
DEPONTE, Dustin K.
DOOLITTLE, Cathleen Wales
GEDDIES, Susan E.
GLOSTER, Charles
GOGOLIN, Benjamin R.
KAWASAKI, Sarah
KEANY, Catherine

KERR, Mike Scott
LAWSON, Tessa
MARTIN, Amy Jo
PERKINS, Sarah Jane

Upon a motion by Ms. Cohen, seconded by Mr. Hoban, it was voted on and unanimously carried to approve subject to receipt of California's RN license verification indicating applicant's legal name and an unencumbered license.

HARRIS, James Jr.

Upon a motion by the Vice Chair, seconded by Mr. Hoban, it was voted on and unanimously carried to approve subject to receipt of court documents indicating compliance with the court imposed sanction and indication of status of his case.

QUILON, Jeremy A.

Foreign Educated RN Applicant:

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

AYENI, Janet A.

Reactivation Application:

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

REYES-BURKE, Marion L.

Licensed Practical Nurse

Upon a motion by the Chair, seconded by Ms. Cohen, it was voted on and unanimously carried to ratify the attached list LPNs (LPN-16989 to LPN-17001).

LPN applicant(s) with military education and experience:

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

LAGUIT, Drick-John M.

Adjudicatory
Matters:

None.

Next Meeting:


Thursday, August 11, 2011
9:30 a.m. – Following the Practice Committee Meeting
Examination Room – New Room
King Kalakaua Building
335 Merchant Street, 3rd Floor
Honolulu, Hawaii 96813

Mr. Hoban informed members that he will not be able to attend the August meeting.


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

Reviewed and approved by:

Taken by:



Lee Ann Teshima
Executive Officer



Lesley Matsumoto
Secretary

LAT:lm

7/28/11

[] Minutes approved as is.
[X] Minutes approved with changes; see minutes of **AUG 11 2011**.

LTYPE	LIC NUM	SORTNAME
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LPN	16989	HAUG ERIN E
LPN	16990	HURT CHERYL L
LPN	16991	DUMALAG LEILANI C
LPN	16992	CLEVELAND MARY P
LPN	16993	LAWTON NANCY JEAN
LPN	16994	LEHNERD LACY N
LPN	16995	RANSOM COFFEE L
LPN	16996	HINKLE LUI K
LPN	16997	PORTER TRISHA A
LPN	16998	MARSHALL STEPHANIE R
LPN	16999	SATO GEORGIA A K
LPN	17000	OROSA CARLA M B
LPN	17001	JOHNSON RACHEL N

LTYPE	LIC	NUM	SORTNAME
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RN	69770		MAGSIPOC SHARMAINE
RN	69771		BETTS JESSICA A
RN	69772		ANDREASSEN MELINDA R
RN	69773		JORGENSEN SUSANNE
RN	69774		BRACEWELL SHELBY SUE
RN	69775		KEYS DEBBIE R
RN	69776		MCDONALD STEVEN ALAN
RN	69777		SICINSKI ASHLEY N
RN	69778		YOO RICKY SEUNG BAE
RN	69779		NAKAMURA TOMOE
RN	69780		DELOS SANTOS GERALDI
RN	69781		MANINGAT ROBERT TOPA
RN	69782		HARTLETT ASHLEY ELIZ
RN	69783		TOMTER MELODY P
RN	69784		WANINGER JUSTIN M
RN	69785		PFERDEKAMPER ERLINDA
RN	69786		CLEDERA MARIA R D
RN	69787		MOULTON ERIC B
RN	69788		PYRKOWSKI THOMAS
RN	69789		WEILAND MARY M
RN	69790		BAHR DAVID
RN	69791		PERHUROVA JULIA
RN	69792		SULLIVAN NANCY J
RN	69793		GEROLA MILJOYCE C
RN	69794		VAN VORHEES MELISSA
RN	69795		ALLY LAURA D
RN	69796		ALLY RIYADH Z
RN	69797		GOOD RUTH A
RN	69798		MAUST NATHAN G
RN	69799		KEVIN L O'CONNELL
RN	69800		HOWARD ERIC L
RN	69801		REYNOLDS COURTNEY M
RN	69802		SURRATT GWENDOLYN P
RN	69803		SCHLABACH JENNIFER N
RN	69804		SMITH KATHY L
RN	69805		CUMMINGS JANINE MARY
RN	69806		DUNIGAN WHITNEY L
RN	69807		BENSON SHIRLEY M
RN	69808		WHITTLESEY SONIA M
RN	69809		CARPENTER JEREMY J
RN	69810		ALLAN MARIE
RN	69811		RESHATOFF-SOUZA KATR
RN	69812		DEES STEPHANIE M
RN	69813		JONES LOLITA L
RN	69814		PFAFF ANNA L
RN	69815		MCDANIEL MARIA CLAUD
RN	69816		PRADHANANG MULEPATI
RN	69817		MAGGERT KITT CAMIQUE
RN	69818		ANDERSEN-AUDORFF KAT
RN	69819		CHI-STEVEN JENNIFER
RN	69820		GIUGLIANO LAUREN M
RN	69821		LANZRATH NANCY J
RN	69822		MCCARTHY JAMIE LYNN
RN	69823		WORDEMAN JENNY L
RN	69824		TOMLINSON BARBARA C
RN	69825		BASHFORD MICHELLE L
RN	69826		DOUGHNEY ANDREA M

LTYPE	LIC NUM	SORTNAME
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RN	69827	EDGINGTON DARCY L
RN	69828	MOLDOFF DIANA L
RN	69829	ABELLA EMELIE V
RN	69830	OBANDO VANESSA
RN	69831	TAROMA LEO VER
RN	69832	ESTANQUE GAIL T
RN	69833	PHAM VALYNN T-P
RN	69834	GONZALEZ JUAN C
RN	69835	REYNOLDS KARI-ANNE
RN	69836	HOWCUMFU JOSEPHINE D
RN	69837	SIMMONS ARLENE
RN	69838	RADER EVIN WILLIAM
RN	69839	ASEJO FLORINDO R
RN	69840	KIRKLAND PATRICIA AN
RN	69841	WORSHAM TONYA R
RN	69842	LONEY ALEXA R