

COMMONWEALTH OF MASSACHUSETTS

NOTICE OF THE REGULARLY SCHEDULED MEETING OF THE  
BOARD OF REGISTRATION IN NURSING

Wednesday June 12, 2013  
9 a.m. to 2 p.m.

239 Causeway Street ~ 4<sup>th</sup> Floor ~ Room 417A  
Boston, Massachusetts 02114  
Preliminary Agenda  
6/7/2013 1:43 P.M.

Time	Item #	Item	Exhibits	Staff Contact
9:00 a.m.	I.	Call to Order		
	II.	Approval of Agenda	Agenda	
	III.	Adjudicatory Session	Closed Session	
	IV.	G.L. c. 112, § 65C Session	Closed Session	
9:45 a.m.	V.	Approval of Minutes A. May 8, 2013 Regularly Scheduled Meeting	Minutes	
	VI.	Reports A. Chairperson and Board Members' Reports B. Executive Director's Report C. Staff Report 1. Deputy Executive Director 2. Policy and Research 3. Practice 4. Education 5. Complaint Resolution 6. SARP	none report  report report report report report	RH  CR CS LT JMP AF/HC VI/DM

	Item #	Item	Exhibits	Staff Contact
	<b>VII.</b>	<b>Consensus Agenda</b> A. NCSBN Update B. Coalition for the Prevention of Medical Errors Update	Memo none	LT LT
	<b>VIII.</b>	<b>Requests for License Reinstatement</b> A. L Dunn, LN48689; LN-04-037 B. S. V. Bailey, RN263515; RN-07-166 C. S. Lucier-Matthews, RN236926; RN-08-149 D. B. Ortega, 20080925-LN-017; LN57660	Request memo Request memo Request memo Request memo	TW/MS TW/MS TW/MS TW/MS
10:00 a.m.	<b>IX.</b>	<b>A. Resolution of Pending Board Complaints</b> 1. J. Knox, RN265428, NUR-2012-0215 2. M. Briscoe Rawson, RN/NP99065, NUR-2012-0086 3. J. Willoughby, LN20385, NUR-2012-0019 4. G. Bruce, LN68436, NUR-2012-0221 5. G. Quinones, RN276863, NUR-2012-0235 6. R. Gusiora, RN254942, NUR-2013-0100 7. N. Egorova, RN/NP228926, NUR-2013-0047 8. K. Mooney, RN230442, NUR-2012-0271 9. K. Mulcahy, RN/NP238074, NUR-2012-0272 10. K. Barrett, LN36782, NUR-2012-0273 11. B. Niles, RN265176, NUR-2012-0274 12. S. Cusolito, RN2257808, NUR-2013-0038  <b>B. Resolution of Pending Board Staff Assignments</b> 1. L. Bell aka Morley, RN246931, SA-INV-3579	Investigative Report (IR) IR IR IR IR IR IR IR IR IR IR IR IR	MEM/AF MEM/AF MEM/HC ES/ASF ES/AF ES/AF IH/HC IH/HC IH/HC IH/HC IH/HC MFS/AF  AF
	<b>X.</b>	<b>Practice</b> A. Revised Proposed 244 CMR 10.00 Regulations B. Guidance to APRN Regarding Changes in Law: Signatory Authority	Memo – Proposed Regulations Memo – Proposed Guidance Memos	LT MS
12:00 p.m.	<b>XI.</b>	<b>G.L c. 30A, §21 Executive Session</b>	Closed Session	

	Item #	Item	Exhibits	Staff Contact
12:30 -1p.m.		Lunch		
	XII.	<b>Probation</b> A. Request for Termination of Probation/Stayed Probation 1. S. Tinsley, RN161648, RN-08-052 2. K. Christ, LN69767, NUR-2010-0056 B. Request to work in a non-clinical job 1. E. Rzuclido – RN256532, RN-04-324	Memo Memo Memo	KF/MS KF/MS KF/MS
	XIII.	<b>NCsBN 2013 Delegate Assembly – Summary of Recommendations and Appointment of Delegates</b>	Report	CS
	XIV.	<b>Election of FY 14 Board Officers</b>	Ballot – verbal report	RH
	XV.	<b>Policy Review</b> A. Licensure Policy 00-01 <i>Determination of Good Moral Character Compliance</i>	Memo	HC/MS
	XVI.	<b>Education</b> A. 244 CMR 6.04(1)(c) & (f) notifications: 1. Bunker Hill Community College, CEO 2. Assabet Valley Regional Vocational School District, CEO 3. Salem State University, College of Nursing, Program Administrator B. 244 CMR 6.05(1) Review of Prerequisite Approval Status, Salter College, Practical Nursing Program	Memo  Memo	JMP  JMP
	XVII.	<b>Announcements/Other</b>		
2:00 p.m.	XVIII.	<b>Adjournment</b>		

**COMMONWEALTH OF MASSACHUSETTS  
BOARD OF REGISTRATION IN NURSING**

239 Causeway Street, Room 417A  
Boston, MA 02114

**Minutes of the Regularly Scheduled Board Meeting  
Wednesday, June 12, 2013**

**Board Members Present**

S. Kelly, RN/NP, Chair  
K. Gehly, RN/NP, Vice Chair  
M. Beal, RN/NM  
P. Gales, RN  
J. Killion, LPN  
B. Levin, RN  
C. Lundeen, RN  
A. Peckham, RN  
E. Richard Rothmund, Public Member  
J. Roy, RN  
C. Simonian, PharmD, RPh  
C. Tebaldi, RN/NP

**Board Members Not Present**

**Board Staff Present**

R. Harb, RN, Executive Director  
H. Cambra, RN, JD, Complaint Resolution Coordinator  
A. Fein, RN, JD, Complaint Resolution Coordinator  
V. Iyawe, RN, SARP Coordinator  
D. Mclellan, RN, SARP Coordinator  
J. Pelletier, RN, Nursing Education Coordinator  
C. Robertson, RN, Deputy Executive Director  
C. Silveira, RN, Assistant Director  
M. Strachan, JD, Board Counsel  
L. Talarico, RN/NP, Nursing Practice  
T. Westgate, Paralegal

**Board Staff Not Present**

V. Berg, JD, Board Counsel  
C. Jackson, BA, SARP/MPRS Coordinator

**Guests**

See attached list.

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**TOPIC:**

Call to Order

**DISCUSSION:**

A quorum of the Board was present. Ms. Harb introduced and welcomed Mr. James Lavery as the newly appointed Director of the Division of Health Professions Licensure (DHPL). Mr. Lavery thanked the Board for their best wishes and praised Board members, the executive director and staff for their continued leadership and contributions to the public protection mission of DHPL.

**ACTION:**

At 9:06 a.m., S. Kelly, Chairperson, called the June 12, 2013 Regularly Scheduled Board Meeting to order.

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**TOPIC:**

Approval of the Agenda

**DISCUSSION:**

None

**ACTION:**

Motion by K. Gehly, seconded by B. Levin, and unanimously passed to approve the agenda as presented.

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**TOPIC:**

Adjudicatory Session

**DISCUSSION:**

None

**ACTION:**

Motion by B. Levin, seconded by J. Roy, at 9:08 and unanimously passed by roll call vote to go into Adjudicatory Session at 10:18 a.m. to discuss decisions in pending adjudicatory matters.

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**Adjudicatory Session 9:08 a.m. to 10:18 a.m.**

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**TOPIC:**

G.L. c. 112, s. 65C Session

**DISCUSSION:**

None

**ACTION:**

Motion by E. R. Rothmund, seconded by M. Beal, and unanimously passed by roll call vote to go into G.L. c. 112, s. 65C Session at 10:19 a.m. to discuss negotiated settlements of complaints.

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**G.L. c. 112, s. 65C Session 10:19 a.m. to 10:29 a.m.**

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**RECESS 10:30 a.m. to 10:45 a.m.**

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**TOPIC:**

Approval of Minutes:

Approval of the Minutes of the May 8, 2013, Regularly Scheduled Board Meeting

**DISCUSSION:**

K. Gehly noted a typo in her name at the bottom of page 10

**ACTION:**

Motion by J. Killion, seconded by K. Gehly, and unanimously passed to accept the Minutes of the May 8, 2013, Regularly Scheduled Board Meeting.

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**TOPIC:**

Reports

- A. Chairperson and Board Members' Reports
- B. Executive Director's Report
- C. Staff Reports
  - 1. Deputy Executive Director
  - 2. Associate Director for Policy and Research
  - 3. Practice
  - 4. Education
  - 5. Complaint Resolution
  - 6. SARP
  - 7. Probation Monitor

**DISCUSSION:**

- A. Chairperson and Board Members Reports:
- B. Executive Director's Report: Board members reviewed R. Harb's previously distributed report noting the resignation of Mr. T. Murray as Lieutenant Governor, effective June 2013
- C. Staff Reports:
  - 1. Board members reviewed C. Robertson's previously distributed report
  - 2. Board members reviewed C. Silveira's previously distributed report
  - 3. Board members reviewed L. Talarico's previously distributed reports.
  - 4. Board members reviewed J. Pelletier's previously distributed report.
  - 5. Board members reviewed A. Fein's and H. Cambra's previously distributed memo.
  - 6. Board members reviewed V. Iyawe's and D. Mclellan's previously distributed report
  - 7. Board members reviewed K. Fishman's previously distributed report.

**ACTION:**

- A. So noted.
- B. So noted.
- C. So noted.

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**TOPIC:**

Consensus Agenda

- A. NCSBN Update
- B. Coalition for the Prevention of Medical Errors Update

**DISCUSSION:**

- A. NCSBN Update
- B. Coalition for the Prevention of Medical Errors Update: None provided

**ACTION:**

7/10/2013 13 Jun 12 Regular Board Minutes (approved july 10 2013).doc

- A. Accepted by consensus
- B. Accepted by consensus

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**TOPIC:**

Requests for License Reinstatement

- A. L Dunn, LN48689; LN-04-037
- B. S. V. Bailey, RN263515; RN-07-166
- C. S. Lucier-Matthews, RN236926; RN-08-149
- D. B. Ortega, 20080925-LN-017; LN57660

**DISCUSSION:** Board members reviewed T. Westgate's previously distributed memos which identified the Licensee's previous conduct, admissions, Board action and licensee's compliance with reinstatement terms

**ACTION:**

- A. L Dunn, LN48689; LN-04-037; Motion by J. Killion, seconded B. Levin, and unanimously voted to grant the Respondent's request for Reinstatement as she has met all of the requirements outlined in her Agreement. The Reinstatement is on the condition that she enters into a Consent Agreement for Probation with continued urine screens for two (2) years and also properly renews her nursing license.
- B. S. V. Bailey, RN263515; RN-07-166; Motion by J. Killion, seconded by M. Beal, and unanimously voted to deny request for reinstatement.
- C. S. Lucier-Matthews, RN236926; RN-08-149; Motion by E. R. Rothmund, seconded by B. Levin, and unanimously voted to grant the Respondent's request for reinstatement as she has met all of the requirements outlined in her Agreement. The Reinstatement is on the condition that she enters into a Consent Agreement for Probation with continued urine testing and therapy for two (2) years and also properly renews her nursing license.
- D. B. Ortega, 20080925-LN-017; LN57660; Motion by E. R. Rothmund, seconded by B. Levin, and unanimously voted to deny Respondent's request for reinstatement. The Respondent demonstrated a lack of Good Moral Character by his continued deceptive behavior despite Board discipline and this Board can conceive of no circumstance under which it would ever reinstate his license to practice nursing based on his continued deceitful and dishonest behavior.

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**TOPIC:**

Resolution of Pending Board Complaints and Staff Assignments

**A. Resolution of Pending Board Complaints**

1. J. Knox, RN265428, NUR-2012-0215
2. M. Briscoe Rawson, RN/NP99065, NUR-2012-0086
3. J. Willoughby, LN20385, NUR-2012-0019
4. G. Bruce, LN68436, NUR-2012-0221
5. G. Quinones, RN276863, NUR-2012-0235
6. R. Gusiora, RN254942, NUR-2013-0100
7. N. Egorova, RN/NP228926, NUR-2013-0047
8. K. Mooney, RN230442, NUR-2012-0271
9. K. Mulcahy, RN/NP238074, NUR-2012-0272
10. K. Barrett, LN36782, NUR-2012-0273
11. B. Niles, RN265176, NUR-2012-0274
12. S. Cusolito, RN2257808, NUR-2013-0038

## **B. Resolution of Pending Board Staff Assignments**

1. L. Bell aka Morley, RN246931, SA-INV-3579

## **DISCUSSION:**

Ms. Harb introduced and welcomed Mrs. Marjorie Campbell as the newly appointed Supervisor, Office of Public Protection at the Division of Health Professions Licensure (DHPL). Compliance Officers and the Complaint Resolution Coordinators presented their previously distributed Investigative Reports for Board Review and Action together with relevant clarifications, supplemental information and revised Complaint Resolution Coordinators' recommendations as necessary, if any.

## **ACTION:**

### **A. Resolution of Pending Board Complaints**

1. J. Knox, RN265428, NUR-2012-0215 – Motion by E.R. Rothmund, seconded by B. Levin and voted unanimously to refer the complaint to the Office of Prosecutions for issuance of an OTSC and adjudication. Alternatively, in final settlement of this matter the Licensee may also be offered SARP if determined eligible or a STANDARD CONSENT AGREEMENT FOR SURRENDER of his RN license for an indefinite period with reinstatement requirements that also include the standard either/or substance abuse related requirements, the standard criminal activity related requirements, a standard mental health evaluation, documentation of his successful completion of six (6) contact hours on Medication Administration and Documentation in Nursing, three (3) contact hours on Legal and Ethical Aspects of Nursing, three (3) contact hours on Pain Management in Nursing and three (3) contact hours on Critical Thinking and Judgment in Nursing Practice, a STANDARD POST-SURRENDER PROBATION for at least one (1) year.
2. M. Briscoe Rawson, RN/NP99065, NUR-2012-0086 – Motion by E.R. Rothmund, seconded by J. Roy and voted with: P. Gales, J. Roy, C. Simonian, M. Beal, , B. Levin, A. Peckham, C. Lundeen and E.R. Rothmund in favor; J. Killion, C. Tebaldi and K. Gehly opposed; motion passed to refer the complaint to the Office of Prosecutions for issuance of an OTSC and adjudication. Alternatively, in final settlement of this matter the Licensee may also be offered a STANDARD CONSENT AGREEMENT FOR SUSPENSION of her RN license and authorization to practice as an NP for an indefinite period with reinstatement requirements that also include documentation of her successful completion of six (6) contact hours of continuing education on Principles and Practices of Infection Control and Disease Prevention in Nursing Practice, six (6) contact hours on Critical Thinking and Clinical Judgment in Nursing and three (3) contact hours on Legal and Ethical Aspects of Nursing.
3. J. Willoughby, LN20385, NUR-2012-0019- Motion by B. Levin, seconded by P. Gales and voted unanimously to refer the complaint to the Office of Prosecutions for issuance of an OTSC and adjudication. Alternatively, in final settlement of this matter the Licensee may also be offered a STANDARD CONSENT AGREEMENT FOR SURRENDER of her LPN right to renew her nursing license for an indefinite period with reinstatement requirements that also include documentation of her successful completion of six (6) contact hours on the Use of Physical Restraints, three (3) contact hours on Legal and Ethical Aspects of Nursing, three (3) contact hours on Patient Rights.
4. G. Bruce, LN68436, NUR-2012-0221 – Motion by E.R. Rothmund, seconded by B. Levin and voted unanimously to refer the complaint to the Office of Prosecutions for issuance of an OTSC and adjudication. Alternatively, in final settlement of this matter the Licensee may also be offered a STANDARD CONSENT AGREEMENT FOR PROBATION of her LPN license for one (1) year that also requires within sixty (60) days of the effective date of the agreement that she provide documentation of her successful completion of the EDGT continuing education course on



“Head to Toe Patient Assessment,” with a passing grade of at least ninety (90%) percent , three (3) contact hours on Critical Thinking, Clinical Reasoning and Clinical Judgment in Nursing Practice, and the 5.4 contact hour NCSBN continuing education course titled, “Documentation: A Critical Aspect of Client Care.”

5. G. Quinones, RN276863, NUR-2012-0235 - Motion by B. Levin, seconded by J. Roy and voted unanimously to refer the complaint to the Office of Prosecutions for issuance of an OTSC and adjudication. Alternatively, in final settlement of this matter the Licensee may also be offered SARP if determined eligible or a STANDARD CONSENT AGREEMENT FOR SURRENDER of his RN license for an indefinite period with reinstatement requirements that also include the standard either/or substance abuse related requirements, the standard criminal activity related requirements, documentation of his successful completion of six (6) contact hours on Medication Administration and Documentation in Nursing, three (3) contact hours on Legal and Ethical Aspects of Nursing, three (3) contact hours on Pain Management in Nursing and three (3) contact hours on Critical Thinking and Judgment in Nursing Practice, and POST-SURRENDER PROBATION for at least one (1) year.
6. R. Gusiora, RN254942, NUR-2013-0100 – Motion by E.R. Rothmund, seconded by B. Levin and voted unanimously to refer the complaint to the Office of Prosecutions for issuance of an OTSC and adjudication. Alternatively, in final settlement of this matter the Licensee may also be offered a STANDARD CONSENT AGREEMENT for PROBATION of her RN license for one (1) year that also requires documentation of her successful completion of six (6) contact hours on Effective Communication Skills in Nursing Practice, three (3) contact hours on Legal and Ethical Aspects of Nursing, and six (6) contact hours on Clinical Reasoning and Judgment in Nursing Practice.
7. N. Egorova, RN/NP228926, NUR-2013-0047- Motion by B. Levin, seconded by E.R. Rothmund and voted unanimously to DISMISS the complaint without prejudice for insufficient evidence to establish the allegations.
8. K. Mooney, RN230442, NUR-2012-0271- Motion by E.R. Rothmund, seconded by J. Killion and voted unanimously to refer the complaint to the Office of Prosecutions for issuance of an OTSC and adjudication. Alternatively, in final settlement of this matter the Licensee may also be offered a STANDARD CONSENT AGREEMENT FOR PROBATION of her RN license for one (1) year that also requires documentation of her successful completion of NCSBN’s Learning Extension Course entitled “Delegating Effectively”, three (3) contact hours on Legal and Ethical Aspects of Nursing, documentation of the successful completion of continuing education that meets the Board’s regulatory requirements for the 2008-2010 license renewal cycle, and a signed affidavit which attests that she has read and understands 244 CMR 3.00 and all relevant laws and regulations pertaining to MA licensure renewal requirements.
9. K. Mulcahy, RN/NP238074, NUR-2012-0272- Motion by P. Gales, seconded by J. Killion and voted unanimously to refer the complaint to the Office of Prosecutions for issuance of an OTSC and adjudication. Alternatively, in final settlement of this matter the Licensee may also be offered a STANDARD CONSENT AGREEMENT FOR PROBATION of her LPN right to renew, RN license, and Advanced Practice Authorization for six (6) months that also requires documentation of her successful completion of NCSBN’s Learning Extension Course entitled “Delegating Effectively”, three (3) contact hours on Legal and Ethical Aspects of Nursing, and a signed affidavit which attests that she has read and understands 244 CMR 3.00. Practice during the probationary period may be monitored and reported to the Board by her supervising physician.
10. K. Barrett, LN36782, NUR-2012-0273- Motion by C. Simonian, seconded by A. Peckham and voted with C. Lundeen abstaining, to refer the complaint to the Office of Prosecutions for issuance of an OTSC and adjudication. Alternatively, in final settlement of this matter the Licensee may also be offered a STANDARD CONSENT AGREEMENT FOR SURRENDER of

her LN license for an indefinite period with reinstatement requirements that also includes documentation of her successful completion of NCSBN's Learning Extension Course entitled "Delegating Effectively", three (3) contact hours on Legal and Ethical Aspects of Nursing, three (3) contact hours in Critical Thinking and Nursing Judgment and a signed affidavit which attests that she has read and understands 244 CMR 3.00. The Surrender period to be followed by a STANDARD POST-SURRENDER PROBATION for one (1) year.

11. B. Niles, RN265176, NUR-2012-0274- Motion by E.R. Rothmund, seconded by B. Levin and voted unanimously to refer the complaint to the Office of Prosecutions for issuance of an OTSC and adjudication. Alternatively, in final settlement of this matter, that upon receipt of substantiation of the successful completion of continuing education that meets the Board's regulatory requirements for licensure renewal cycle 2008-2010 within thirty (30) days, DISMISS the complaint with a *NON-DISCIPLINARY CAUTION* that states that all nurses licensed in the Commonwealth are expected to adhere to the laws and regulations governing nursing practice including, but not limited to, nursing documentation and licensure renewal requirements. Otherwise, offer the Licensee a STANDARD CONSENT AGREEMENT FOR SURRENDER of her RN license with reinstatement conditions to include documentation of her successful completion of continuing education that meets the Board's regulatory requirements for licensure renewal year 2008-2010.
12. S. Cusolito, RN2257808, NUR-2013-0038 – P. Gales recused herself and left the room. Motion by B. Levin, seconded by M. Beal and voted unanimously to refer the complaint to the Office of Prosecutions for issuance of an OTSC and adjudication. Alternatively, in final settlement of this matter the Licensee may also be offered SARP if determined eligible or a STANDARD CONSENT AGREEMENT FOR SURRENDER of her RN license for an indefinite period with reinstatement requirements to also include the standard either/or substance abuse related requirements, the criminal activity related requirements, and documentation of her successful completion of six (6) contact hours in Medication Administration and Documentation, three (3) contact hours on Pain Management in Nursing, three (3) contact hours on Critical Thinking and Judgment in Nursing Practice and three (3) contact hours on Legal and Ethical Aspects of Nursing Practice.

#### **B. Resolution of Pending Board Staff Assignments**

1. L. Bell aka Morley, RN246931, SA-INV-3579 – Motion by E.R. Rothmund, seconded by B. Levin and voted unanimously to APPROVE the Licensee's eligibility to apply for renewal of her Massachusetts RN license, change her Massachusetts license status to "expired" and CLOSE this staff assignment WITHOUT PREJUDICE WITHOUT FURTHER ACTION as there is not sufficient evidence to warrant a complaint by the Board

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#### **TOPIC:** **Practice**

- A. Revised Proposed 244 CMR 10.00 Regulations
- B. Guidance to APRN Regarding Changes in Law: Signatory Authority

#### **DISCUSSION:**

- A. Legislation enacted in 2012 has necessitated additional amendments to proposed 244 CMR 10.00 prior to proceeding to public comment. These amendments include:
  - Revisions to the prescriptive practice regulations at 244 CMR 10.07 as a result of Chapter 24 amending Chapters 112, sections 80C and 80G (Certified Nurse Midwives are no longer required to have physician supervision or written guidelines) and consultation with the Board of Registration in Medicine;

- Creation of new subsection, 244 CMR 10.06(3)(c), to reflect the new signatory authority of Nurse Practitioners as a result of the enactment of Chapter 112, section 80I;
- Creation of new subsection, 244 CMR 10.06(3)(d), to authorize Nurse Practitioners, pursuant to Chapter 369 of the Acts of 2012, and M.G.L. c.112, s. 80I, to issue written certifications of marijuana for medical use as provided pursuant to the mutually agreed upon guidelines between the Nurse Practitioner and the physician supervising the Nurse Practitioner's prescriptive practice;
- Addition of the new statutory citations and minor stylistic changes.

B. The legislature added Section 80I effective November 4, 2012, pertaining to Nurse Practitioners (NPs). NPs can now sign forms that previously only a physician could sign. NPs can sign or certify documents such as death certificates, work absence, and return to work documentation, school physicals, and other documents related to physical or mental health provided that the signature, certification, stamp, verification, affidavit or endorsement is consistent with established scope of practice standards, and does not expand the scope of practice of the NP. Board staff will distribute a memo to the Nursing and healthcare organizations for informational purposes

**ACTION:**

- A. Motion by C. Simonian, seconded by M. Beal, and unanimously approved revised 244 CMR 10.00: *Massachusetts Regulations Governing Advanced Practice Registered Nurses* and to proceed with the public hearing and comment period.
- B. So noted, for informational purposes only.

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**Lunch Recess 12:45 p.m. – 1:15 p.m.**

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**TOPIC:**

G.L. c.30A, §21 Executive Session

**DISCUSSION:**

None

**ACTION:**

Motion by B. Levin, seconded by E. R. Rothmund, and unanimously passed by roll call vote to go into Executive Session at 1:23 p.m. as per Purpose One of G.L. c.30A, §21 (a)(1) with the Open Session to reconvene upon conclusion of the Executive Session.

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**G.L. c. 30A, § 21 Executive Session 1:23 p.m. – 1:50 p.m.**

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**TOPIC:**

National Council of State Boards of Nursing (NCSBN) 2013 Delegate Assembly – Summary of Recommendations and Appointment of Delegates

**DISCUSSION:**

Members reviewed the C. Silveira's previously distributed memo. Ms. Silveira briefly provided some background information related to the NCSBN Board of Directors' recommendations 3, 5 and 6 as well as recommendations from the NCLEX Examination and the Leadership Succession Committees, noting that

Judith Pelletier is a member of the NCSBN Examination Committee. R. Harb and C. Robertson responded to K. Gehly's question about the potential impact of the proposed \$0 Member Board membership fee should the revised Member Board agreement be adopted; Ms. Robertson also noted that she is a member of the Member Agreement Review Committee.

### **ACTION:**

Motion by E. Richard Rothmund, seconded by B. Levin, and voted unanimously to appoint Sandra Kelly and Kathy Gehly as Massachusetts Delegates, and Rula Harb as the Alternate Delegate, to the Delegate Assembly at the 2013 NSBN Annual Meeting to be held August 14-16, 2013, in Providence, RI, directing them to vote in favor of adoption of the:

- NCSBN 2014-2016 Strategic Initiatives;
- Proposed amendments to the NCSBN Bylaws;
- Proposed revisions to the Member Board Agreement;
- Setting of the Member Board membership fee to zero upon adoption of the revised Member Board agreement;
- Proposed Model Education Rules;
- Associate Membership of the Association of Registered Nurses of Newfoundland & Labrador; the College of Licensed Practical Nurses of Manitoba; and Nursing and Midwifery Board of Ireland;
- Proposed 2014 NCLEX-PN® Test Plan; and
- 2013 Slate of Candidates for election to the Board of Directors.

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### **TOPIC:**

Probation

### **DISCUSSION:**

1. Stephanie Tinsley, RN 161648 (exp. 9/25/14); RN-08-052; K Fishman reviewed her previously distributed memo in which she discussed the Licensee's request to modify the terms of her agreement with the Board. The Licensee was placed on Probation for one year in 2009 due a medication error she committed in 2007. She has submitted CEUs and maintained contact with Ms. Fishman but could not submit proof of current monitored practice. The licensee has had no other complaints in 30 years of practicing and, in the subject case, she realized her error and took immediate and appropriate action in an effort to correct the error; (2) the licensee has submitted eight (8) hours of remedial continuing education and request that the Board terminate the probation period,
2. K. Christ, LN69767, NUR-2010; K Fishman reviewed her previously distributed memo in which she discussed the Licensee's request to modify the terms of her agreement with the Board. The Licensee was placed on Non-Disciplinary Stayed Probation in 2010 following a minor medication error. The Licensee has maintained contact with Ms. Fishman and submitted all requested CEUs.
3. E. Rzuicldo – RN256532, RN-04-324; K Fishman reviewed her previously distributed memo in which she discussed the Licensee's request to modify the terms of his agreement with the Board. In 2004, he admitted to diversion of narcotics and surrendered his license. The Licensee signed a Post-Surrender Probation Agreement in January 2013 which contained all of the standard terms of probation, including active practice in a clinical setting. He

requests a modification as to setting as he is employed in a non-clinical job but is supervised by a nurse.

**ACTION:**

1. Stephanie Tinsley, RN 161648 (exp. 9/25/14); RN-08-052: motion by B. Levin, seconded by M. Roy and unanimously voted to approve the request.
2. K. Christ, LN69767, NUR-2010: motion by C. Simonian, seconded by A. Peckham and unanimously voted to approve the request.
3. E. Rzucidlo, RN256532, RN-04-324: Motion by K. Gehly, seconded by B. Levin and unanimously voted to approve the request.

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**TOPIC:**

Election of FY 14 Board Officers

**DISCUSSION:**

Ms. Harb announced the results of the election of Board Officers for the FY 14 term of office: Board members voted unanimously for the 2 nominated candidates Ms. Sandra Kelly was elected Chairperson and Ms. Kathy Gehly was elected Vice-Chairperson.

**ACTION:**

So noted

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**TOPIC:** Policy Review

**DISCUSSION:** H. Cambra presented her previously distributed memo and revised draft of the Board's Good Moral Character Licensure Policy 00-01 for discussion.

**ACTION:** Motion by B. Levin and M. Beal and voted unanimously to approve the policy revision as proposed. Specifically, allowing initial licensure applicants participating in a Good Moral Character evaluation, to meet the exception to the Temporary Mandatory Exclusion related to first-time operating while under the influence or comparable offenses by: (1) establishing for the Board that the sentenced incarceration was required by the convicting jurisdiction's Mandatory Sentencing Guidelines, and (2) that the sentence imposed was the *least restrictive* required by law.

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**TOPIC:**

Education

- A. 244 CMR 6.04(1)(c) & (f) notifications:
1. Bunker Hill Community College, CEO
  2. Assabet Valley Regional Vocational School District, CEO
  3. Salem State University, College of Nursing, Program Administrator
- B. 244 CMR 6.05(1) Review of Prerequisite Approval  
Status, Salter College, Practical Nursing Program

**DISCUSSION:**

**A. Members reviewed J. Pelletier's previously distributed memo.**

B. J. Pelletier reviewed her previously distributed memo with Board members. It was noted that at the October 13, 2010, meeting, members voted to grant Salter College Prerequisite Approval Status to establish a Practical Nurse education program, directing that an on-site survey be conducted spring or summer 2011 to verify program compliance with 244 CMR 6.04(5)(c) and (d) based on the Board's finding that Salter College has provided satisfactory evidence of its *potential* ability to achieve compliance with 244 CMR 6.04. In granting this approval, the Board considered a Timetable which described the plan, that included, but was not limited to, applying for Massachusetts Department of Higher Education authorization (July 2010) and submitting an application for Initial Approval<sup>1</sup> (January 2011). It was noted that the Timetable has not been implemented as previously accepted by the Board.

**ACTION:**

A. Motion by E. Rothmund, seconded by J. Killian, and unanimously voted to find compliance with regulation 244 CMR 6.04(1) (f) in the notification of the appointment of: Pam Eddinger, President (CEO), Bunker Hill Community College; and Patrick Collins, Superintendent (CEO), Assabet Valley Regional Vocational School District; and find compliance with regulation 244 CMR 6.04(1)(c) & (f) in the notification of the appointment of Victoria Morrison, PhD, RN, Interim Associate Dean, (Program Administrator), Salem State University School of Nursing

B. Motion by E. Rothmund, seconded by J. Killian, and unanimously voted to find that the Parent Institution has not implemented the Timeline as accepted by the Board at their October 13, 2010 meeting; and to demonstrate compliance with 244 CMR 6.05(1) 10., require the Parent Institution provide a revised Timeline for the planning and implementation of the proposed program to be due June 28, 2013, to include, but not be limited to, the Parent Institution's progress in: obtaining MA DHE authority to conduct a practical nurse education program; construction of nursing program offices, classroom, and skills laboratory; and obtaining written agreements with cooperating agencies utilized for clinical learning sites [ref: Board action 10/13/10]; and direct that an on-site survey be conducted to verify program compliance with 244 CMR 6.04(5)(c) and (d) at a time to be determined in accordance with the revised Timeline and progress report due June 28, 2013.

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**TOPIC:**

Adjournment

**DISCUSSION:**

None

**ACTION:**

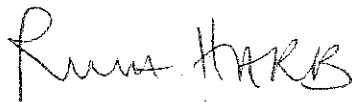
Motion by J. Roy, seconded by B. Levin, and passed unanimously to adjourn the meeting at 2:25 p.m.

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<sup>1</sup> Initial Approval Status means the Board's written recognition of a parent institution that has been granted Prerequisite Approval status that it has provided satisfactory evidence of its ability to achieve compliance with 244 CMR 6.04. Initial Approval Status is the prerequisite for the admission of students and shall be in effect through the Board's determination of the program's ability to achieve Full Approval Status.

Respectfully submitted by:

A handwritten signature in dark ink, appearing to read 'Rula Harb'. The signature is fluid and cursive, with the first name 'Rula' and last name 'Harb' clearly distinguishable.

Rula Harb, MS, RN, Executive Director  
Board of Registration in Nursing

Reviewed by: Mary Strachan, Board Counsel  
Board of Registration in Nursing

COMMONWEALTH OF MASSACHUSETTS

NOTICE OF THE REGULARLY SCHEDULED MEETING OF THE  
BOARD OF REGISTRATION IN NURSING

Wednesday June 12, 2013  
9 a.m. to 2 p.m.

239 Causeway Street ~ 4<sup>th</sup> Floor ~ Room 417A  
Boston, Massachusetts 02114

Preliminary Agenda

6/7/2013 1:43 P.M.

Time	Item #	Item	Exhibits	Staff Contact
9:00 a.m.	I.	Call to Order		
	II.	Approval of Agenda	Agenda	
	III.	Adjudicatory Session	Closed Session	
	IV.	G.L. c. 112, § 65C Session	Closed Session	
9:45 a.m.	V.	<b>Approval of Minutes</b> A. May 8, 2013 Regularly Scheduled Meeting	Minutes	
	VI.	<b>Reports</b> A. Chairperson and Board Members' Reports B. Executive Director's Report C. Staff Report 1. Deputy Executive Director 2. Policy and Research 3. Practice 4. Education 5. Complaint Resolution 6. SARP	<p>none report</p> <p>report report report report report report</p>	<p>RH</p> <p>CR CS LT JMP AF/HC VI/DM</p>



Item #	Item	Exhibits	Staff Contact
VII.	<b>Consensus Agenda</b> A. NCSBN Update B. Coalition for the Prevention of Medical Errors Update	Memo none	LT LT
VIII.	<b>Requests for License Reinstatement</b> A. L Dunn, LN48689; LN-04-037 B. S. V. Bailey, RN263515; RN-07-166 C. S. Lucier-Matthews, RN236926; RN-08-149 D. B. Ortega, 20080925-LN-017; LN57660	Request memo Request memo Request memo Request memo	TW/MS TW/MS TW/MS TW/MS
10:00 a.m.	<b>IX. A. Resolution of Pending Board Complaints</b> 1. J. Knox, RN265428, NUR-2012-0215 2. M. Briscoe Rawson, RN/NP99065, NUR-2012-0086 3. J. Willoughby, LN20385, NUR-2012-0019 4. G. Bruce, LN68436, NUR-2012-0221 5. G. Quinones, RN276863, NUR-2012-0235 6. R. Gusiora, RN254942, NUR-2013-0100 7. N. Egorova, RN/NP228926, NUR-2013-0047 8. K. Mooney, RN230442, NUR-2012-0271 9. K. Mulcahy, RN/NP238074, NUR-2012-0272 10. K. Barrett, LN36782, NUR-2012-0273 11. B. Niles, RN265176, NUR-2012-0274 12. S. Cusolito, RN2257808, NUR-2013-0038  <b>B. Resolution of Pending Board Staff Assignments</b> 1. L. Bell aka Morley, RN246931, SA-INV-3579	Investigative Report (IR) IR IR IR IR IR IR IR IR IR IR IR IR	MEM/AF MEM/AF MEM/HC ES/ASF ES/AF ES/AF IH/HC IH/HC IH/HC IH/HC IH/HC MFS/AF  AF
X.	<b>Practice</b> A. Revised Proposed 244 CMR 10.00 Regulations B. Guidance to APRN Regarding Changes in Law: Signatory Authority	Memo – Proposed Regulations Memo – Proposed Guidance Memos	LT MS
12:00 p.m.	<b>XI. G.L c. 30A, §21 Executive Session</b>	Closed Session	
Item #	Item	Exhibits	Staff Contact

12:30	1 p.m.	Lunch			
	XII.	<b>Probation</b> A. Request for Termination of Probation/Stayed Probation 1. S. Tinsley, RN161648, RN-08-052 2. K. Christ, LN69767, NUR-2010-0056 B. Request to work in a non-clinical job 1. E. Rzuclido – RN256532, RN-04-324	Memo Memo Memo	KF/MS KF/MS KF/MS	
	XIII.	<b>NCSBN 2013 Delegate Assembly – Summary of Recommendations and Appointment of Delegates</b>	Report	CS	
	XIV.	<b>Election of FY 14 Board Officers</b>	Ballot – verbal report	RH	
	XV.	<b>Policy Review</b> A. Licensure Policy 00-01 <i>Determination of Good Moral Character Compliance</i>	Memo	HC/MS	
	XVI.	<b>Education</b> A. 244 CMR 6.04(1)(c) & (f) notifications: 1. Bunker Hill Community College, CEO 2. Assabet Valley Regional Vocational School District, CEO 3. Salem State University, College of Nursing, Program Administrator B. 244 CMR 6.05(1) Review of Prerequisite Approval Status, Salter College, Practical Nursing Program	Memo  Memo	JMP  JMP	
	XVII.	<b>Announcements/Other</b>			
2:00	p.m.	<b>Adjournment</b>			