

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

239 Causeway Street, Room 417A
Boston, MA 02114

And Via WebEx

Wednesday, August 11, 2021 9:00 am | 2 hours | (UTC-04:00) Eastern Time (US & Canada)

Event address for attendees:

<https://statema.webex.com/statema/onstage/g.php?MTID=ef4b144014d7bbe868ef6872eadec42e7>

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Minutes of the Regularly Scheduled Board Meeting

Wednesday, August 11, 2021

Board Members Present In Room 417

L. Kelly, DNP, Chairperson

Board Members Not Present

D. Nikitas, RN

E. Pusey-Reid, DNP

Board Members Present Via Audio Or Video

L. Keough, CNP, Vice Chairperson

A. Alley, RN (Left at 12:52 p.m.)

(Arrived at 2:19 p.m.)

K.A. Barnes, JD, RPh

K. Crowley, DNP

D. Drew, MBA, Public Member

J. Kaneb, MBA, Public Member

C. LaBelle, RN

V. Percy, MSN (Left at 9:35 a.m.)

(Arrived at 10:27 a.m.)

(Left at 11:45 a.m.) (Arrived at 12:10 p.m.)

L. Wu, RN (Left at 5:33 p.m.)

J. Yeh, MD (Arrived at 9:32 a.m.)

(Left at 11:45 a.m.) (Arrived at 12:11 p.m.)

(Left at 1:15 p.m.) (Arrived at 1:51 p.m.)

Staff Present In Room 417

C. MacDonald, RN, DNP, Deputy Executive Director

L. Hillson, RN, MSN, PhD, Assistant Director for
Policy and Research

P. McNamee, RN, MS, Nursing Practice Coordinator

H. Engman, JD, Acting Chief Board Counsel

M. Jardonnet, JD, Board Counsel

K. Jones, Probation Compliance Officer

Staff Not Present

L. Silva, RN, DNP, Executive Director

C. DeSpirito, RN, JD, Complaint
Resolution Coordinator

H. Cambra, RN, JD, Interim SARP
Coordinator

M. Campbell, RN, JD, Nursing
Investigations Supervisor

L. Ferguson, Paralegal
P. Scott, Licensing Coordinator
S. Gaun, Office Support Specialist I

Staff Present Via Audio Or Video

O. Atueyi, JD, Board Counsel
S. Waite, RN, DNP, Nursing Education Coordinator
H. Caines Robson, RN, MSN, Nursing
Education Coordinator
S. Hall, SARP Monitoring Coordinator
L. Ferguson, Paralegal
R. Dumas, Office Support Specialist I

TOPIC:

Call to Order & Determination of Quorum

DISCUSSION:

L. Kelly confirmed by roll call that a quorum of the Board members was present and announced that the meeting was being recorded.

ACTION:

At 9:08 a.m., L. Kelly, Chairperson, called the August 11, 2021 Regularly Scheduled Board Meeting to order.

TOPIC:

Approval of REVISED Agenda

DISCUSSION:

None.

ACTION:

Motion by L. Kelly, seconded by L. Keough, and voted by roll call with A. Alley, K.A. Barnes, K. Crowley, D. Drew, J. Kaneb, L. Kelly, L. Keough, C. LaBelle, V. Percy, L. Wu unanimously in favor to approve the REVISED Agenda as presented.

TOPIC:

Approval of Board Minutes for the July 14, 2021 Meeting of the Regularly Scheduled Board Meeting

DISCUSSION:

None.

ACTION:

Motion by L. Kelly, seconded by K. Crowley, and voted by roll call with D. Drew and V. Percy in abstention, and A. Alley, K.A. Barnes, K. Crowley, D. Drew, J. Kaneb, L. Kelly, L. Keough, C. LaBelle and L. Wu unanimously in favor to accept the Minutes of the July 14, 2021 Regularly Scheduled Board Meeting as presented.

TOPIC:

Reports, Announcements and Administrative Matters
Announcements

DISCUSSION:

None.

ACTION:

None.

TOPIC: SARP

Activity Report

DISCUSSION:

None.

ACTION:

None.

TOPIC: Probation

Staff Action Report

DISCUSSION:

K. Jones was available for questions.

ACTION:

So noted.

TOPIC: Probation

Request for Termination of Probation/Stayed Probation

DISCUSSION:

None.

ACTION:

None.

TOPIC: Probation

Request for Notice of Violation and Further Discipline, in the matter of A. Tucker, NUR-2019-0005, RN2316275

DISCUSSION:

K. Jones summarized her previously distributed memorandum and attached exhibits to the Board. L. Kelly asked K. Jones about the documents that she received. L. Wu stated the compliance issues and the basic nursing skills. L. Keough stated about the letter of support. K. Jones stated the Licensee had two (2) Quarterly Evaluations which were positive. D. Drew asked K. Jones a clarifying question about reconciling the dates regarding the 2/10/2021, 4/9/2021 and 5/4/2021 Employee Counseling Records.

L. Kelly stated the counseling procedures. D. Drew stated the Licensee received a warning on 2/10/21. Several Board members discussed the Board's options. K. Crowley stated the Licensee's practice issues and her concerns, there has been no explanation why during the last three (3) months, the Licensee has not followed through with standard nursing practice. D. Drew asked the Licensee if he provide any information to the Board which it can hold onto for mitigation. L. Keough stated her concerns and about resetting the clock. L. Kelly stated there was a pattern of non-compliance and the Licensee did not notify the Board staff that he was terminated from his nursing position. L. Wu stated there is a difference between a staff member and a Chief Medical Officer that the Licensee is offering as mitigation. K.A. Barnes agreed that resetting the clock and keeping the Licensee on PROBATION would be good. L. Keough stated there are practice issues which are actually human resources issues. K. Crowley stated the human resources issues are one component, and there are documentation, HIPAA and practice issues.

The Licensee was present via audio. S. Columbus, the Licensee's Attorney, was present via audio. S. Columbus stated that since 2019, the Licensee's graduated from a college in Massachusetts with a Bachelor of Science Degree in Nursing, the Licensee has earned several certifications, and the Licensee is working hard trying to advance his nursing career. In response to D. Drew, the Licensee stated that regarding the Personal Protection Equipment and the mask situation, the only times he took his mask down was when he was alone at the nursing station and he was doing documentation by himself, and he also purchased an N-95 Mask which was National Institute of Health approved because he his employer only provided the KN-95 Mask which he felt he was not safe with, and he complied with the Mask Mandate and Personal Protection Equipment 100%. The Licensee stated the reason for the cellphone use was because he has a newborn child and he was not getting a lot of sleep. The Licensee stated that he and the Director of Nursing did not get along. The Licensee stated that he feels he is being painted in a light that is not accurate.

ACTION:

Motion by D. Drew, seconded by L. Keough, and voted by roll call with K. Crowley and L. Kelly in opposition, J. Yeh in abstention, and A. Alley, K.A. Barnes, D. Drew, J. Kaneb, L. Keough, C. LaBelle, V. Percy and L. Wu all in favor to reset the two (2) year probation period based on the date of the Licensee's termination and all other points will stay in effect.

TOPIC: Probation

Request for Notice of Violation and Further Discipline, in the matter of T. Williams, NUR-2018-0285, RN2297221

DISCUSSION:

K. Jones summarized her previously distributed memorandum and attached exhibits to the Board. There was no discussion.

ACTION:

Motion by K. Crowley, seconded by L. Kelly, and voted by roll call with A. Alley, K.A. Barnes, K. Crowley, D. Drew, J. Kaneb, L. Kelly, L. Keough, C. LaBelle, V. Percy, L. Wu and J. Yeh unanimously in favor to IMMEDIATELY SUSPEND the Licensee's RN License and right to renew her RN License due to non-compliance with the terms of the PROBATION AGREEMENT.

TOPIC: Practice Coordinator Staff Report

DISCUSSION:

August 11, 2021 Regular Session Board Meeting Minutes
(to be Approved 09/08/2021)

P. McNamee was available for questions.

ACTION:

So noted.

TOPIC: Education

Nursing Education Staff Report Annual Report to the Board CY 2020

DISCUSSION:

S. Waite was available for questions.

ACTION:

So noted.

TOPIC: Education

244 CMR 6.05 (3)(b) Annual Reports, Massachusetts College of Pharmacy and Health Sciences Boston Baccalaureate Degree Nursing Program

DISCUSSION:

RECUSAL: K.A. Barnes recused herself from the matter and left the Board Meeting via Webex during the deliberation and vote. S. Waite summarized her previously distributed memorandum and attached exhibits to the Board. L. Kelly asked S. Waite what are the Current NCLEX Pass Rates. In response to L. Kelly, S. Waite stated in 2021 Quarter 1, the pass rate was 88.89%, Quarter 2 was 74%, so Year To Date is 83%. L. Wu asked D. McManus if the plan for the psychiatric nursing component will stay completely remote or if it will be an in-person clinical. K. Crowley asked D. McManus several questions regarding the BSN Crosswalk modified curriculum courses and the changes the program requested. K. Crowley asked D. McManus about the clinical tables which are not complete.

D. McManus, program administrator for the Boston Campus, was present via video. D. McManus stated the Board should have received the course objectives and curriculum objectives. In response to L. Wu, D. McManus stated for the Summer 2021 and Fall 2021, the psychiatric nursing component will be in-person clinical. In response to K. Crowley, D. McManus stated about the health and wellness courses.

G. McGinty, program administrator for the Worcester Campus, stated there is one program but there are two (2) program administrators. G. McGinty stated the clinical was in the 325 Course, the titles of each course was changed and the clinical course was moved to the 422 health and wellness course, the students got 45 clinical hours of mental health in-person in Summer 2021 and the students will get 45 clinical hours of mental health in-person in Fall 2021. G. McGinty stated as the program moves forward, it will improve its benchmarks. In response to K. Crowley, G. McGinty stated the final grades are due on 8/15/2021, the 45 clinical hours will need to be completed then, and all of the students are on target to complete the courses on-time.

ACTION:

Motion by L. Kelly, seconded by K. Crowley, and voted by roll call with A. Alley, K. Crowley, D. Drew, J. Kaneb, L. Kelly, L. Keough, C. LaBelle, L. Wu and J. Yeh unanimously in favor to:

1. Find the program is in compliance with 244 CMR 6.05 (3)(b) and 6.04 (3)(b)(4).

2. Direct the program to provide the following:
 - a. Comprehensive breakdown of NUR 404 Health and Wellness III that includes: total semester clock hours for the course, the established credit to contact hour ratio for each component of didactic/lectures, laboratory, and clinical experiences and delineation of content focus of each planned clinical placement for the course.
3. Continue with Full Approval Status at this time.

TOPIC: Education

244 CMR 6.05 (3)(b) Annual Reports, Massachusetts College of Pharmacy and Health Sciences
Worcester Baccalaureate Degree Nursing Program

DISCUSSION:

RECUSAL: K.A. Barnes recused herself from the matter and left the Board Meeting via Webex during the deliberation and vote. S. Waite summarized her previously distributed memorandum and attached exhibits to the Board.

G. McGinty, program administrator for the Worcester Campus, was present via video. G. McGinty stated the two (2) programs are congruent across both campuses, there are two (2) program administrators because the program has two (2) separate registration codes for the Massachusetts Board of Registration in Nursing.

ACTION:

Motion by L. Kelly, seconded by K. Crowley, and voted by roll call with A. Alley, K. Crowley, D. Drew, J. Kaneb, L. Kelly, L. Keough, C. LaBelle, L. Wu and J. Yeh unanimously in favor to:

1. Accept the program's 244 CMR 6.07(3) Program Change reports for New/Revised Curriculum.
2. Find the program is in compliance with 244 CMR 6.05 (3)(b).
3. Continue with Full Approval Status at this time.
4. Direct the program to provide the Board the following in order to demonstrate correction of the regulatory deficiencies:
 - a. Submit a comprehensive plan of action for notification of curriculum change to current and prospective students [ref 244 CMR 6.04 (3)(a)(3)].
 - b. Submit a grid detailing the old curriculum course objectives, new curriculum objectives and the correlation to the specific program outcomes.

TOPIC: Education

244 CMR 6.07 Board Approval of Specific Nursing Education Program Changes, Endicott College
Baccalaureate Degree Nursing program

DISCUSSION:

K.A. Barnes arrived back at the Board Meeting via Webex at 10:03 a.m. H. Caines Robson summarized her previously distributed memorandum and attached exhibits to the Board. There was no discussion.

The program administrator was present via video. The program administrator did not make a statement.

ACTION:

Motion by L. Kelly, seconded by K. Crowley, and voted by roll call with A. Alley, K.A. Barnes, K. Crowley, D. Drew, J. Kaneb, L. Kelly, L. Keough, C. LaBelle, L. Wu and J. Yeh unanimously in favor to:

1. Accept the Program's 244 CMR 6.07 Notification of Specific Nursing Education Program Changes for the Endicott College Baccalaureate Degree Nursing Program.
2. Find compliance with the notification of change in accreditation for the Endicott College Baccalaureate Degree Nursing Program.

TOPIC: Education

2021 Q2 NCLEX Reports

Explanation of NCLEX Data Reports

2021 Q2 MA Graduates Regardless of State of Licensure

2021 Q2 MA Licensure Candidates Regardless of State of Education

DISCUSSION:

H. Caines Robson was available for questions.

ACTION:

So noted.

TOPIC: Requests for License Reinstatement

F. (Hudson) Marcano, RN-03-072, RN229125

DISCUSSION:

S. Leadholm summarized his previously distributed memorandum and attached exhibits to the Board. L. Kelly asked S. Leadholm why the Nursing Practice and Evaluation Form was not used. In response to L. Kelly, S. Leadholm stated he does not know if the Nursing Practice and Evaluation Form was invented in 2004 and 2005. O. Atueyi stated that the Nursing Practice and Evaluation Form was not being used at that time and the probation process has changed. D. Drew asked S. Leadholm if the Licensee did not practice nursing for many years. D. Drew asked the Licensee if she has been practicing nursing during the last five (5) years. K. Crowley stated the Licensee completed 9 months out of 12 months of PROBATION in 2004 and 2005. Several Board members and staff discussed the Board's options.

The Licensee was present via audio from Trinidad. In response to D. Drew, the Licensee stated the last time she practiced nursing was in 2016.

ACTION:

Motion by L. Kelly, seconded by L. Wu, and voted by roll call with A. Alley, K.A. Barnes, K. Crowley, D. Drew, J. Kaneb, L. Kelly, L. Keough, C. LaBelle, L. Wu and J. Yeh unanimously in favor to reinstate the Licensee's RN License and right to renew her license contingent on the Licensee entering into a POST-SURRENDER CONSENT AGREEMENT FOR PROBATION for no less than one (1) year.

TOPIC: Request for License Reinstatement
S. Coughlin, NUR-2013-0179, RN284927

DISCUSSION:

S. Leadholm summarized his previously distributed memorandum and attached exhibits to the Board. L. Kelly stated her concerns regarding the Licensee has had only four (4) months of employment during his PROBATION, the healthcare environment and the Licensee's practice issues. K.A. Barnes asked the Board counsel about the monitored practice. In response to K.A. Barnes, O. Atueyi stated the Board has jurisdiction over nursing practice only or something that requires a nursing license. V. Percy asked the Licensee about his current work position and if he will be returning to practicing nursing. L. Kelly stated her concerns about the incident regarding the Licensee and the patient in an emergency room setting. D. Drew asked if the Licensee's Arizona employment was in nursing. J. Yeh asked the Licensee if the end of PROBATION can be expedited. Several Board members discussed the Board's options.

The Licensee was present via video. The Licensee stated he submitted several documents, he has been working at a drug manufacturer, he maintained his CEUs, when he practiced in ARIZONA he received outstanding reports from his employer, he had to turn down a job because of the MA discipline, he stayed home for several years and raised his children. In response to V. Percy, the Licensee stated he works in business development for a manufacturer of pharmaceutical components. In response to D. Drew, the Licensee stated he worked in Arizona as a Staff Nurse in the Rehabilitation Department in a long term care nursing home and he worked in position for six (6) months. In response to J. Yeh, the Licensee stated he has been an outstanding citizen and has not had any work issues.

ACTION:

Motion by K. Crowley, seconded by L. Kelly, and voted by roll call with D. Drew and L. Wu in opposition, and A. Alley, K.A. Barnes, K. Crowley, J. Kaneb, L. Kelly, L. Keough, C. LaBelle, V. Percy, and J. Yeh all in favor to reinstate the Licensee's RN License and right to renew his license contingent on the Licensee entering into a STANDARD CONSENT AGREEMENT FOR PROBATION for eighteen (18) months.

TOPIC: Strategic Development, Planning and Evaluation
Licensure Update

DISCUSSION:

C. MacDonald summarized orally to the Board. C. MacDonald stated that over the past year, due to the Corona Virus Pandemic, the Board staff issued approximately 10,000 Temporary Licenses, there were problems maintaining compliance with the Federal Center for Disease Control guidance regarding testing centers, the licensing database the Board staff uses was upgraded, the background check for the Massachusetts Department of Children and Families Cases was improved, and the Board staff received 300 to 600 applications a week and as many as 300 a day. C. MacDonald stated that the Board staff has been meeting virtually with the Professional Credential Services (PCS) every business day and it implemented measures to allow the Board staff to get people licensed.

A. Alley stated that Massachusetts Hospital Association (MHA) and ONL have contacted him during the last week about serious concerns regarding the time it is taking to process applications and the impact it is having on hospitals being able to staff. A. Alley asked C. MacDonald what is the current number of applications for reciprocity that still have to be reviewed and what is the expected timeframe for

processing applications and if it is currently two (2) to three (3) weeks, for example, and they are being processed in six (6) to eight (8) weeks. In response to A. Alley, C. MacDonald stated it can take as high as 41 days to process reciprocity applications due to the number of documents which are required from the Licensee and the State Nursing Boards. C. MacDonald stated that once the applications are complete, they are being processed by Board staff in five (5) business days which is within the Board's benchmark, and the Board staff is communicating with the Licensees and is informing them as to what documents are needed. D. Drew asked C. MacDonald when does the Board staff considered the application to be submitted. C. MacDonald stated the Board staff uses the word "complete" and not "submitted", stated the process, and stated the application is not complete until all of the supporting documentation has been received at PCS. C. MacDonald stated over the past year, the Board staff has been accepting certain documents electronically which has helped the process. C. MacDonald stated there are several State Boards of Nursing who do not participate in NURSUS, so the documentation process takes longer.

ACTION:

So noted.

TOPIC: Strategic Development, Planning and Evaluation

Proposed Board Policy 21-02: 244 CMR 6.04 (1)(c) Nursing Education Program Administrator Oversight Criteria

DISCUSSION:

S. Waite summarized her previously distributed memorandum and attached exhibits to the Board. C. MacDonald stated S. Waite and H. Caines Robson developed the policy and the algorithm. C. MacDonald stated the policy constitutes what is a nursing program and what is a nursing program administrator and they need to follow the algorithm. K.A. Barnes asked C. MacDonald about the parent institution offering the nursing program at multiple campuses. In response to K.A. Barnes, C. MacDonald stated that it would be one (1) nursing program if all of the options have the same program outcomes. K. Crowley asked C. MacDonald about the program administrator full-time status. In response to K. Crowley, C. MacDonald stated the program needs to make the determination as to who meets the requirements to be the program administrator. K. Crowley stated the different programs will need different administrators. In response to K. Crowley, S. Waite the programs have different program outcomes. K.A. Barnes stated program administrator definition does not speak to the full-time status and that the full-time status needs to be stated in the definition on Page 1. In response to K.A. Barnes, C. MacDonald stated this issue is very complex because the nursing programs are different. C. MacDonald stated the program has to demonstrate it has the resources to administer the program. K. Crowley stated the program administrator role needs to be clarified, and the program administrator cannot have any other duties. In response to K. Crowley, C. MacDonald stated the policy can be updated to include that. D. Drew asked C. MacDonald about Item Numbers 6 and 7 on Page 2 regarding the program outcomes. In response to D. Drew, S. Waite stated the definition of program outcomes. In response to D. Drew, C. MacDonald stated the outcomes the program needs. D. Drew asked S. Waite if the Accreditation Boards define programs through outcomes. In response to D. Drew, K. Crowley stated about the ACEN process. D. Drew stated her concerns regarding resource capacity.

ACTION:

Motion by L. Kelly, seconded by L. Keough, and voted by roll call with K.A. Barnes in abstention, K. Crowley, D. Drew, J. Kaneb, V. Percy, L. Wu and J. Yeh in opposition, and A. Alley, L. Kelly,

L. Keough and C. LaBelle all in favor to accept the Proposed Board Policy 21-02: 244 CMR 6.04 (1)(c) Nursing Education Program Administrator Oversight Criteria with the revisions for clarifying the definition for full-time. The Motion failed.

Motion by D. Drew, seconded by K. Crowley, and voted by roll call with A. Alley, K.A. Barnes, K. Crowley, D. Drew, J. Kaneb, L. Kelly, L. Keough, C. LaBelle, V. Percy, L. Wu and J. Yeh unanimously in favor to have the Board staff take the recommendations and questions the Board members have, update the Proposed Board Policy 21-02: 244 CMR 6.04 (1)(c) Nursing Education Program Administrator Oversight Criteria, and present it at their earliest convenience for review and approval.

TOPIC: Strategic Development, Planning and Evaluation

Revision to Licensure Policy 00-01: Determination of Good Moral Character Compliance

DISCUSSION:

C. MacDonald summarized H. Cambra's previously distributed memorandum and attached exhibits to the Board on behalf of H. Cambra. K. Crowley stated there should be track changes listed in the Revision Document so the Board members will know what language is being revised. In response to K. Crowley, C. MacDonald stated the language that is being revised. D. Drew asked C. MacDonald about the terms "Conviction" on Page 1 and "Withdrawal or Expiration of Application" on Page 2. In response to D. Drew, C. MacDonald stated if the Applicant answered "yes" to any of the GMC questions, and the Applicant withdraws his or her application after doing so, then if he or she reapplies for the second time, he or she will have to answer the GMC questions again. K. Jones stated the Board has previously allowed the Applicants to withdraw their applications without penalty if the Applicants are in the process of sealing their records, or if the Applicants do not have a conviction.

K.A. Barnes asked about the definitions in Licensure Policy 00-01 and Licensure Policy 17-01 are different. In response to K.A. Barnes, C. MacDonald stated if the Massachusetts Department of Children and Families (DCF) Background Check is added to the applications by reciprocity, it will take more time for the applications to be evaluated for licensure. C. MacDonald stated the Applicants who are applying by examination have to sign a Child Protective Services Background Record Request Form which allows the Board staff to contact DCF and complete a background check. D. Drew stated her concerns regarding the two (2) different GMC processes.

ACTION:

Motion by K. Crowley, seconded by D. Drew, and voted by roll call with K.A. Barnes in abstention, and A. Alley, K. Crowley, D. Drew, J. Kaneb, L. Kelly, L. Keough, C. LaBelle, V. Percy, L. Wu and J. Yeh all in favor to approve the Revision to Licensure Policy 00-01 as presented.

TOPIC: Strategic Development, Planning and Evaluation

Revision to Licensure Policy 17-01: Board Delegation to Board Staff to Make Final Determination of Good Moral Character Compliance

DISCUSSION:

C. MacDonald summarized H. Cambra's previously distributed memorandum and attached exhibits to the Board on behalf of H. Cambra. O. Atueyi stated that all applicants are treated the same whether they are applying by reciprocity or examination. O. Atueyi asked C. MacDonald if this Matter could be deferred until next month. In response to O. Atueyi, C. MacDonald stated the Board staff was going through a transition because it had received numerous applications by reciprocity and the applicants did not need to

have by a certain date the DCF Background Check, but regarding the new applications which are coming in, the applicants will need to go through the DCF Background Check. K.A. Barnes stated the Board members just approved the Revision to Licensure Policy 00-01 that has the DCF Background Check, so the Board members can amend the definition in this Revision to Licensure Policy 17-01.

ACTION:

Motion by K.A. Barnes, seconded by D. Drew, and voted by roll call with A. Alley, K.A. Barnes, K. Crowley, D. Drew, J. Kaneb, L. Kelly, L. Keough, C. LaBelle, V. Percy, L. Wu and J. Yeh unanimously in favor to approve the Revision to Licensure Policy 17-01: Board Delegation to Board Staff to Make Final Determination of Good Moral Character Compliance to include the changes to the definition of the DCF Background Check to reflect the definition of the DCF Background Check for the application as stated in the Revision to Licensure Policy 00-01: Determination of Good Moral Character Compliance.

TOPIC: Strategic Development, Planning and Evaluation

244 CMR 4.0 Approval of Responses to Comments and Post-Comment Revision Changes

DISCUSSION:

H. Engman summarized her previously distributed memorandum and attached exhibits to the Board. Several Board members asked H. Engman about nurses who do not have an MCSR Registration. In response to the Board members, H. Engman stated the nurse either has to have an MCSR Registration or work under a supervising practitioner who has an MCSR.

H. Engman spoke about 244 CMR 4.07 (1)(a)(2) and (b). L. Keough and L. Kelly stated they agreed with Staff Recommendation / Response Number 2. D. Drew asked H. Engman about if Staff Recommendation / Response Number 2 needs to be defined more and it leaves a very big loophole. In response to D. Drew, H. Engman stated that it is a good issue and she discussed it with Board staff and her recommendation is to leave the language in the regulation itself broad and this gives the Board the opportunity to issue sub regulatory guidance to clarify which fields or specialties would be appropriately related for the purposes of supervision. In response to H. Engman, L. Hillson stated the Board staff did want to limit it to the clinical category, for example, people who have the CRNA, CNP and PNMHCS authorizations, and the Board staff wanted to leave the language generic so that it will evolve over time.

H. Engman spoke about 244 CMR 4.07 (2)(c)(1), the comments from the stakeholders and the Staff Recommendation / Response Number 1. C. MacDonald stated the Supervising Physician is a healthcare professional and the word “delegation” should be removed.

L. Hillson asked H. Engman about the “clarification that independent practice during the emergency period counts toward independent practice authority for a minimum of one year for purpose of the regulation can be provided in sub regulatory guidance” on Page 3. In response to L. Hillson, H. Engman stated the Board staff received numerous comments seeking clarification on that issue, the regulation is silent on that issue, and she recommended the Board not adjust the regulatory language to speak directly to the emergency period, but rather the Board can issue an FAQ or a brief guidance document that clarifies for licensees that the independent practice during the emergency period counts as independent practice.

ACTION:

Motion by L. Kelly, seconded by L. Keough, and voted by roll call with J. Kaneb in abstention, and

A. Alley, K.A. Barnes, K. Crowley, D. Drew, L. Kelly, L. Keough, C. LaBelle, V. Percy, L. Wu and J. Yeh all in favor to accept and approve the recommendations regarding the public comments for 244 CMR 4.00 with the changes and to move towards final promulgation of this regulation.

TOPIC: Strategic Development, Planning and Evaluation

Topics for Next Agenda

DISCUSSION:

None.

ACTION:

None.

Break from 11:50 a.m. to 12:08 p.m.

TOPIC:

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

DISCUSSION:

None.

ACTION:

Motion by L. Kelly, seconded by L. Keough, and voted by roll call with A. Alley, K.A. Barnes, K. Crowley, D. Drew, J. Kaneb, L. Kelly, L. Keough, C. LaBelle, L. Wu unanimously in favor to convene the G.L. c. 112, s. 65C Session at 12:08 p.m.

G.L. c. 112, s. 65C Session 12:08 p.m. to 1:15 p.m.

Break from 1:15 p.m. to 1:37 p.m.

TOPIC:

G.L. c.30A, §21 Executive Session

DISCUSSION:

None.

ACTION:

Motion by L. Kelly, seconded by L. Keough, and voted by roll call with K.A. Barnes, K. Crowley, D. Drew, J. Kaneb, L. Kelly, L. Keough, C. LaBelle, V. Percy, L. Wu and J. Yeh unanimously in favor to convene the Executive Session at 1:37 p.m. as per Purpose One of G.L. c.30A, §21 (a)(1).

Break from 4:36 p.m. to 4:43 p.m.

TOPIC:

Adjudicatory Session

DISCUSSION:

None.

ACTION:

Motion by L. Kelly, seconded by L. Keough, and voted by roll call with A. Alley, K.A. Barnes, K. Crowley, D. Drew, J. Kaneb, L. Kelly, L. Keough, C. LaBelle, V. Percy, L. Wu and J. Yeh unanimously in favor to convene the Adjudicatory Session at 4:43 p.m. to deliberate on proposed final decisions and orders, and rulings on pending adjudicatory matters.

Adjudicatory Session 4:43 p.m. to 5:36 p.m.

TOPIC:

Adjournment

DISCUSSION:

None.

ACTION:

Motion by D. Drew, seconded by K.A. Barnes, and voted by roll call with A. Alley, K.A. Barnes, K. Crowley, D. Drew, J. Kaneb, L. Kelly, L. Keough, C. LaBelle, V. Percy and J. Yeh unanimously in favor to adjourn the meeting at 5:36 p.m.

Minutes of the Board's August 11, 2021, Regularly Scheduled Meeting were approved by the Board on September 8, 2021.

 DNP

Linda Kelly, DNP

Chairperson

Board of Registration in Nursing

Agenda with exhibits list attached.

**COMMONWEALTH OF MASSACHUSETTS
Board of Registration in Nursing**

REVISED Notice of the Regularly Scheduled Meeting

Regular Session

239 Causeway Street
Room 417
Boston, Massachusetts 02114

And Via WebEx

Wednesday, August 11, 2021 9:00 am | 2 hours | (UTC-04:00) Eastern Time (US & Canada)

Event address for attendees:

<https://statema.webex.com/statema/onstage/g.php?MTID=ef4b144014d7bbe868ef6872eadec42e7>

Join by Phone:

+1-203-607-0564 US Toll

+1-866-692-3580 US Toll Free

Access code: 161 458 3836

Wednesday, August 11, 2021

PRELIMINARY AGENDA AS OF 8/2/21 12:55pm

Estimated Time	Item #	A. Item	Exhibit	Presented by
9:00 a.m.	I.	B. CALL TO ORDER & DETERMINATION OF QUORUM	None	
	II.	APPROVAL OF REVISED AGENDA	Agenda	
	III.	APPROVAL OF MINUTES A. Draft Minutes for the July 14, 2021 Meeting of the <i>Board of Registration in Nursing, Regular Session Via WebEx</i>	Minutes	
	IV.	REPORTS, ANNOUNCEMENTS AND ADMINISTRATIVE MATTERS A. Announcements	Oral/Memo	LS
	V.	SARP A. SARP Activity Report - NONE	None	

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	VI.	PROBATION A. Probation Staff Action Report B. Termination of Probation/Stayed Probation - NONE C. Request for Notice of Violation and Further Discipline, in the matter of: 1. A. Tucker, NUR-2019-0005, RN2316275 2. T. Williams, NUR-2018-0285, RN2297221	Report None Memo Memo	KJ KJ KJ
	VII.	PRACTICE A. Practice Coordinator Staff Report	Report	PM
	VIII.	EDUCATION A. Nursing Education Staff Report 1. Nursing Education Staff Report Annual Report to the Board CY 2020 B. 244 CMR 6.05 (3)(b) Annual Reports 1. Massachusetts College of Pharmacy and Health Sciences Boston Baccalaureate Degree Nursing Program 2. Massachusetts College of Pharmacy and Health Sciences Worcester Baccalaureate Degree Nursing Program C. 244 CMR 6.07 Board Approval of Specific Nursing Education Program Changes 1. Endicott College Baccalaureate Degree Nursing Program D. 2021 Q2 NCLEX Reports 1. Explanation of NCLEX Data Reports a. 2021 Q2 MA Graduates Regardless of State of Licensure b. 2021 Q2 MA Licensure Candidates Regardless of State of Education	Report Report Report Memo Report Report Report	HCR/SW SW SW HCR HCR HCR HCR
	IX.	REQUESTS FOR LICENSE REINSTATEMENT A. F. (Hudson) Marcano, RN-03-072, RN229125 B. S. Coughlin, NUR-2013-0179, RN284927	Memo Memo	SL SL

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	X.	STRATEGIC DEVELOPMENT, PLANNING AND EVALUATION A. Presentation/Report <ol style="list-style-type: none"> 1. Licensure Update 2. Proposed Board Policy 21-02: 244 CMR 6.04 (1)(c) Nursing Education Program Administrator Oversight Criteria 3. Revision to Licensure Policy 00-01: Determination of Good Moral Character Compliance 4. Revision to Licensure Policy 17-01: Board Delegation to Board Staff to Make Final Determination of Good Moral Character Compliance 5. 244 CMR 4.0 Approval of Responses to Comments and Post-Comment Revision Changes B. Topics for Next Agenda	Oral Proposed Policy Proposed Policy Proposed Policy Draft Regulations/Memo	CM HCR/SW CD/HC CD/HC HE
<>		LUNCH BREAK		
	XI.	M.G.L. c. 112, § 65C SESSION	CLOSED SESSION	
	XII.	EXECUTIVE SESSION The Board will meet in Executive Session as authorized pursuant to M.G.L. c.30A, § 21(a)(1) for the purpose of discussing the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual. <ol style="list-style-type: none"> 1. Specifically, the Board will discuss and evaluate the Good Moral Character and Massachusetts Department of Children and Families Cases as required for registration for pending applicants. 2. Specifically, the Board will discuss and evaluate the reputation, character, physical condition or mental health, rather than professional competence, of licensees relevant to their petitions for license status change. 3. Specifically, the Board will discuss and evaluate the reputation, character, physical condition or mental health, rather than professional competence, of licensees relevant to their compliance with the term of monitored licensed practice or participation in the Board's Substance Abuse Rehabilitation Program. 4. Approval of prior executive session minutes in accordance with M.G.L. c. 30A, § 22(f) for sessions held during the July 14, 2021 meeting. 	CLOSED SESSION	

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	XIII.	M.G.L. c. 30A, § 18 ADJUDICATORY SESSION	CLOSED SESSION	
5:00 p.m.	XIV.	ADJOURNMENT		

If you need reasonable accommodations in order to participate in the meeting, contact the DPH ADA Coordinator Yulanda Kiner, Phone: 617-624-5848 in advance of the meeting. While the Board will do its best to accommodate you, certain accommodations may require distinctive requests or the hiring of outside contractors and may not be available if requested immediately before the meeting.