

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

239 Causeway Street, Room 417A
Boston, MA 02114

**Minutes of the Regularly Scheduled Board Meeting
Wednesday, August 8, 2018**

Board Members Present

L. Keough, CNP, Vice Chairperson
K. Barnes, JD, RPh
D. Drew, Public Member
G. Dufault, LPN
L. Kelly, CNP
J. Killion, LPN
C. LaBelle, RN
N. Murphy, LPN
E. Pusey-Reid, DNP

Board Members Not Present

B. Levin RN, Chairperson
A. Alley, RN
J. Fantes, MD

Staff Present

L. Silva, RN, DNP, Executive Director
C. MacDonald, RN, DNP, Deputy Executive Director
O. Atueyi, JD, Board Counsel
B. Oldmixon, JD, Board Counsel
H. Cambra, RN, JD, Complaint Resolution Coordinator
A. MacDonald, RN, DNP, Nursing Education
Coordinator
F. Medaglia, RN, PhD, Assistant Director for Policy and
Research
L. Talarico, RN/CNP, Nursing Practice Coordinator
S. Gaun, Office Support Specialist I
K. Jones, Probation Compliance Officer
S. Hall, SARP Administrative Assistant
N. Tahoun, Temporary SARP Administrative Assistant

Staff Not Present

M. Campbell, RN, JD, Nurse
Investigation Supervisor
A. Fein, RN, JD, Complaint Resolution
Coordinator
L. Ferguson, Paralegal
M. Gilmore, RN, SARP Coordinator

TOPIC:

Call to Order & Determination of Quorum

DISCUSSION:

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

ACTION:

At 9:01 a.m., L. Keough, Vice Chairperson, called the August 8, 2018 Regularly Scheduled Board Meeting to order.

TOPIC:

Approval of Agenda

DISCUSSION:

None.

ACTION:

Motion by D. Drew, seconded by J. Killion, and voted unanimously to approve the Agenda as presented.

TOPIC:

Approval of Board Minutes for the July 11, 2018 Meeting of the Regularly Scheduled Board Meeting

DISCUSSION:

None.

ACTION:

Motion by L. Keough, seconded by D. Drew, and voted, with K.A. Barnes and E. Pusey-Reid abstaining, and all other members present in favor, to accept the Minutes of the July 11, 2018 Regularly Scheduled Board Meeting as presented.

TOPIC:

Reports, Announcements and Administrative Matters

- A. Executive Director's Report
- B. Announcements
- C. Additional FY 2019 Board Meeting

DISCUSSION:

- A. Executive Director's Report: L. Silva stated she does not have a report.
- B. C. MacDonald spoke about the NCLEX Exam Review. C. MacDonald stated the Board members are allowed to review the NCLEX Exam items and they will need to let A. MacDonald know today if they want to review it.
- C. L. Silva stated she is working on the date of the additional FY 2019 Board Meeting.

ACTION:

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

TOPIC: SARP

SARP Activity Report

DISCUSSION:

None.

ACTION:

None.

TOPIC: Probation

Staff Action Report

DISCUSSION:

K. Jones was available for questions.

ACTION:

So noted.

TOPIC: Probation

Hearing on Probation Violation, A. Finlay, LN69025, NUR-2012-0219

DISCUSSION:

B. Oldmixon summarized her previously distributed memorandum and attached exhibits to the Board. The Licensee was present. In response to L. Silva, the Licensee stated she submitted her Work Status Activity Logs to the Board. The Licensee stated she received a letter from the Board in June 2018 stating the Board did not receive the documents. The Licensee stated she has had several job interviews and when she mentioned to the prospective employers that she is on probation, the prospective employers stated to her that they cannot hire her. B. Oldmixon stated the Board's options. In response to D. Drew, B. Oldmixon stated the Board did receive, with the request for hearing, the documents which were missing.

ACTION:

Motion by D. Drew to find the Licensee was not in violation of the probation agreement. The motion was not seconded. D. Drew withdrew the motion.

Motion by L. Kelly, seconded by J. Killion, and voted unanimously that the Licensee violated the probation agreement.

Motion by J. Killion, seconded by K. A. Barnes, and voted unanimously to not impose further discipline and to extend the probation period by six (6) months to find employment and one (1) year to work in the job and complete the probation requirements.

TOPIC: Practice

Practice Coordinator Staff Report

DISCUSSION:

L. Talarico was available for questions. In response to D. Drew, L. Silva stated the Board has been in support of the authorization for full scope of practice for APRNs since the bill had been filed with the state legislature. In response to D. Drew, L. Silva stated the Licensees can have their licenses suspended if they are not paying child support. L. Silva stated she does not know if the Board can take action on sanctioning Licensees if they have unpaid student loan debt. O. Atueyi stated the Board receives notice from other state agencies that a licensee violated their laws and orders the Board to take action. For example, the department of revenue sends suspension orders when a licensee fails to pay child support.

ACTION:

So noted.

TOPIC: Education

244 CMR 6.05(1)(c), Merrimack College Prerequisite Approval Application

DISCUSSION:

RECUSAL: B. Oldmixon recused herself from the matter and left the room during the deliberation and vote. A. MacDonald summarized her previously distributed compliance report and attached exhibits to the Board. T. Alberti, a faculty member who is representing the program administrator, was present. A. MacDonald stated her recommendations.

ACTION:

Motion by L. Keough, seconded by K. A. Barnes, and voted unanimously to:

1. Find that Merrimack College has provided satisfactory information describing its potential ability to establish a Baccalaureate Nurse education program complying with 244 CMR 6.04: Standards for Nursing Education Program;
2. Grant Merrimack College Prerequisite Approval Status [ref: 244 CMR 6.05(1)(c)] to establish its proposed Registered Nurse Baccalaureate education program, directing that an on-site survey be conducted in Spring 2023 academic year to verify program compliance with 244 CMR 6.04.

TOPIC: Education

244 CMR 6.05(1)(c), Assumption College Prerequisite Approval Application

DISCUSSION:

L. Keough recused herself from the matter; consequently, the Board did not have a quorum and the matter was deferred to the next Board meeting.

ACTION:

None.

TOPIC: Education

244 CMR 6.07(1) Curriculum Changes University of Massachusetts Amherst

DISCUSSION:

A. MacDonald summarized her previously distributed compliance report and attached exhibits to the Board. M. Howard, representing the program administrator, was present. A. MacDonald stated her recommendations to the Board are to:

1. Determine if the University of Massachusetts Amherst Nurse (RN) Baccalaureate Degree Program proposed revisions to the nursing curriculum are in compliance with Board regulations, 244 CMR 6.04.
2. Direct the Program to provide the following by August 31, 2018:
 - a. supporting documentation to demonstrate how the proposed changes are consistent with trends in health care delivery and nursing education including data used to make decisions about curriculum;
 - b. table of methods used to evaluate student achievement of Program competencies;
 - c. examples from course syllabi and outlines demonstrating how faculty evaluate student achievement of nursing competencies;
 - d. table demonstrating correlation of nursing course and clinical objectives;
 - e. chart or table demonstrating how course outcomes and evaluation methods are linked to the student learning outcomes;

- f. table or chart that demonstrates consistency between the philosophy, program objectives, curriculum plan, and student learning outcomes;
 - g. matrix demonstrating progression of leveled course objectives to program objectives throughout the program; and
 - h. systematic evaluation plan demonstrating that the curriculum is reviewed on a regular basis that includes the data and analysis with evidence that trended and aggregate outcomes were used to develop, maintain and revise the curriculum and determine whether the expected level of achievement has been met.
3. Determine if a site survey is warranted.
4. Failure to submit the Board directed documents by the established due dates will result in the Board's evaluation of the Program's approval status [ref 244 CMR 6.08(1)].

M. Howard stated she believes more information about the Springfield location is missing. A. MacDonald stated the third request contained most of the information that the Board requested with some documentation still missing.

ACTION:

Motion by D. Drew, seconded by L. Keough, and voted unanimously to accept A. MacDonald's recommendations.

TOPIC: Education

244 CMR 6.08 Status Update Roxbury Community College Practical Nursing and Associate Degree Nursing Programs

DISCUSSION:

A. MacDonald stated the verbal status update report to the Board. J. Silva, program administrator, was present. A. MacDonald stated the next steps are for the Board staff will conduct a site survey on 8/9/18 and 8/10/18 to verify the information that was has been implemented and also to verify compliance with 244 CMR 6.04.

ACTION:

None.

TOPIC: Requests for License Reinstatement

DISCUSSION:

None.

ACTION:

None.

TOPIC: Strategic Development, Planning and Evaluation

A. Systematic Policy Evaluation -- NONE

B. Presentation/Report

- 1. Massachusetts Coalition for the Prevention of Medical Errors:
 - a. June 2018 Coalition Meeting Minutes
 - b. July 2018 Coalition Report

- C. 2017-2018 Legislative Session Summary
- D. Revision of Licensure Policy No. 16-03 – Reinstatement Eligibility Criteria for Nurses Prescribed a Buprenorphine/ Naloxone Combination and Methadone
- E. Topics for Next Agenda

DISCUSSION:

- A. None.
- B. 1. a. and b. None.
- C. F. Medaglia stated the Board has the information which she submitted. L. Keough stated this will be deferred to the next month’s Board Meeting.
- D. B. Oldmixon stated L. Ferguson was not able to attend the Board Meeting. B. Oldmixon summarized the previously distributed memorandum and attached exhibits to the Board. In response to L. Keough, L. Silva stated the Board staff will be looking at the policy and recommended the Board to defer it.
- E. None.

ACTION:

- A. None.
- B. 1. a. and b. None.
- C. None.
- D. Motion by L. Keough, seconded by E. Pusey-Reid, and voted unanimously to defer reviewing the Revision of Licensure Policy No. 16-03 – Reinstatement Eligibility Criteria for Nurses Prescribed a Buprenorphine/ Naloxone Combination and Methadone until the next Board Meeting.
- E. None.

Break 9:40 a.m. to 9:50 a.m.

TOPIC:

Adjudicatory Session

DISCUSSION:

None.

ACTION:

Motion by L. Keough, seconded by D. Drew, and voted unanimously to convene the Adjudicatory Session at 9:50 a.m. to deliberate on proposed final decisions and orders, and rulings on pending adjudicatory matters.

Adjudicatory Session 9:50 a.m. to 10:10 a.m.

TOPIC:

G.L. c.30A, §21 Executive Session

DISCUSSION:

None.

ACTION:

Motion by L. Keough, seconded by L. Kelly, and voted unanimously to convene the Executive Session at 10:10 a.m. as per Purpose One of G.L. c.30A, §21 (a)(1).

G.L. c. 30A, § 21 Executive Session 10:10 a.m. to 1:15 p.m.

Break 1:15 p.m. to 1:33 p.m.

TOPIC:

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

DISCUSSION:

None.

ACTION:

Motion by J. Killion, seconded by L. Keough, and voted unanimously to convene the G.L. c. 112, s. 65C Session at 1:33 p.m.

G.L. c. 112, s. 65C Session 1:33 p.m. to 3:16 p.m.

TOPIC:

Adjournment

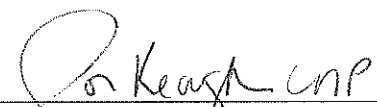
DISCUSSION:

None.

ACTION:

Motion by L. Keough, seconded by D. Drew, and voted unanimously to adjourn the meeting at 3:17 p.m.

Minutes of the Board's August 8, 2018, Regularly Scheduled Meeting were approved by the Board on September 12, 2018.



Lori Keough, CNP, Vice Chairperson
Board of Registration in Nursing

Agenda with exhibits list attached.

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

Notice of the Regularly Scheduled Meeting

Regular Session

239 Causeway Street
Room 417
Boston, Massachusetts 02114

Wednesday, August 8, 2018

PRELIMINARY AGENDA AS OF 7/30/18 12:00pm

Estimated Time	Item #	Item	Exhibit	Presented by
9:00 a.m.	I.	CALL TO ORDER & DETERMINATION OF QUORUM	None	
	II.	APPROVAL OF AGENDA	Agenda	
	III.	APPROVAL OF MINUTES A. Draft Minutes for the July 11, 2018 Meeting of the <i>Board of Registration in Nursing, Regular Session</i>	Minutes	
	IV.	REPORTS, ANNOUNCEMENTS AND ADMINISTRATIVE MATTERS A. Executive Director's Report B. Announcements C. Additional FY2019 Board Meeting	Oral/Memo Oral	LS LS
	V.	SARP A. SARP Activity Report -- NONE	None	
	VI.	PROBATION A. Probation Staff Action Report B. Hearing on Probation Violation 1. A. Finlay, LN69025, NUR-2012-0219	Report Hearing Notice	KJ BAO
	VII.	PRACTICE A. Practice Coordinator Staff Report	Memo	LT

COMMONWEALTH OF MASSACHUSETTS
Board of Registration in Nursing

	<p>VIII. EDUCATION</p> <p>A. Nursing Education Staff Report – NONE</p> <p>B. 244 CMR 6.04(1)(c) & (1)(f) Administrative Changes - NONE</p> <p>C. 244 CMR 6.05(1)(c)</p> <ol style="list-style-type: none"> 1. Merrimack College Prerequisite Approval Application 2. Assumption College Prerequisite Approval Application <p>D. 244 CMR 6.07(1) Curriculum Changes University of Massachusetts Amherst</p> <p>E. 244 CMR 6.08 Status Update Roxbury Community College Practical Nursing and Associate Degree Nursing Programs</p>	<p>None</p> <p>None</p> <p>Compliance Report Compliance Report</p> <p>Compliance Report</p> <p>Oral</p>	<p></p> <p></p> <p>AM AM</p> <p>AM</p> <p>AM</p>
	<p>IX. REQUESTS FOR LICENSE REINSTATEMENT</p> <p>A. None</p>	<p>None</p>	<p></p>
	<p>X. STRATEGIC DEVELOPMENT, PLANNING AND EVALUATION</p> <p>A. Systematic Policy Evaluation -- NONE</p> <p>B. Presentation/Report</p> <ol style="list-style-type: none"> 1. Massachusetts Coalition for the Prevention of Medical Errors: <ol style="list-style-type: none"> a. June 2018 Coalition Meeting Minutes b. July 2018 Coalition Report C. 2017-2018 Legislative Session Summary D. Revision of Licensure Policy No. 16-03 – Reinstatement Eligibility Criteria for Nurses Prescribed a Buprenorphine/ Naloxone Combination and Methadone E. Topics for Next Agenda 	<p>None</p> <p>Minutes Report Oral Report Draft Policy</p>	<p>ASF/FM</p> <p>FM LF</p>

COMMONWEALTH OF MASSACHUSETTS
Board of Registration in Nursing

	XI. 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 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 pending disciplinary complaints that involve patient records and treatment of patients. 4. Approval of prior executive session minutes in accordance with M.G.L. c. 30A, § 22(f) for sessions held during the July 11, 2018 meeting. 	CLOSED SESSION	
<>	LUNCH BREAK		
	XII. M.G.L. c. 112, § 65C SESSION	CLOSED SESSION	
	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 Beth Rabasco, Phone: 617-624-5291 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.