

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

250 Washington Street, Room 3C
Boston, MA 02108

AND VIA ZOOM

Wednesday, April 12, 2023 9:00am 11 hour 30 Minutes | (UTC-04:00) Eastern Time (US & Canada)

Event address for attendees: <https://us06web.zoom.us/j/86550881328>

Join by Phone:

+1-602-333-0032 US Toll

+1-888-270-9936 US Toll Free

Access Code: 247716

**Minutes of the Regularly Scheduled Board Meeting
Wednesday, April 12, 2023**

Board Members Present In Room 3C

None

Board Members Not Present

Board Members Present Via Audio Or Video

L. Kelly, DNP, RN, CNP, Chairperson

K. A. Barnes, JD, RPh

A. Alley, MSN, RN, Vice Chairperson

K. Crowley, DNP, RN

M. Harty, LPN

A. Joseph, MD

L. Keough, PhD, RN, CNP

M. McAuliffe, DNP, RN

J. Monagle, PhD, RN

D. Nikitas, BSN, RN

C. Norris, LPN

V. Percy, MSN, RN

R. Reynolds, PhD, MSN, RN

A. Sprague, BS, RN

L. Wu, MBA, RN

Staff Present In Room 33 Huddle Room

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

Staff Not Present

Staff Present Via Audio Or Video

C. MacDonald, DNP, RN, Executive Director	L. Hillson PhD, MSN, RN, Assistant
H. Cambra, JD, RN, Deputy Executive Director	Director Policy & Research
H. Engman, JD, Lead Board Counsel	L. Ferguson, Paralegal
M. Jardonnet, JD, Board Counsel	
S. Waite, DNP, RN, Nursing Education Coordinator	
H. Caines Robson, MSN, RN, Nursing Education Coordinator	
P. McNamee, MS, RN, Nursing Practice Coordinator Coordinator	
C. DeSpirito, JD, RN, BSN, Complaint Resolution Coordi- nator	
M. Waksmonski, MSN, RN, SARP Coordinator	
G. Velez Rivera, MBA, SARP Monitoring Coordinator	
K. Jones, Probation Compliance Officer	

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 9:01 a.m., L. Kelly, DNP, RN, CNP, Chairperson, called the April 12, 2023 Regularly Scheduled Board Meeting to order.

TOPIC:

Approval of Agenda

DISCUSSION: Agenda approved as presented.

ACTION:

Motion by L. Kelly, seconded by A. Alley, and voted unanimously by roll to approve the Agenda as presented.

TOPIC:

Approval of Regular Session Board Minutes: None

DISCUSSION: None

ACTION: None

TOPIC: Rep01 is, Announcements and Administrative Matters

Announcements

DISCUSSION: C. MacDonald reminded Board members, Board staff and the public that the next regularly scheduled Board Meeting will be held on May 17, 2023, the third Wednesday of the month. In June Board Meetings will return to the second Wednesday of the month. The meeting dates for the year are posted on the BORN website. C. MacDonald asked Board members to please sign up for Complaint Committee Meetings particularly for April, May, June and July.

ACTION: None

TOPIC: SARP

Activity Report

DISCUSSION: M. Waksmonski was available for questions.

ACTION: None

TOPIC: SARP

Reimbursement of Fees Notice

DISCUSSION: M. Waksmonski presented previously distributed memo on Reimbursement of Fees. M. Waksmonski announced as of March 3, 2023 the toxicology fees will be reimbursed for up to \$2000 annually to assist SARP participants in their recovery. Board members commended the SARP team lead by M. Waksmonski for removal of barriers for current and future SARP participants.

ACTION: None

TOPIC: Probation

Staff Action Report: None

DISCUSSION: None

ACTION: None

TOPIC: Probation

Request for Termination of Probation/Stayed Probation: None

DISCUSSION: None

ACTION: None

TOPIC: Probation

Request for Notice of Violation and Further Discipline: None

DISCUSSION: None

ACTION: None

TOPIC: Practice Coordinator Staff Report

DISCUSSION: P. McNamee was available for questions.

ACTION: None

TOPIC: Education

Staff Action Report

DISCUSSION: H. Caines Robson was available for questions.

ACTION: None

TOPIC: Education

244 CMR 6.03(2)(a) Nursing Education Programs Eligible for Approval of Out of State Programs: Azure College

DISCUSSION:

S. Waite summarized her previously distributed memorandum and attached exhibits to the Board. The Board discussed the whether Azure College nursing program maintains standards substantially similar to the regulatory requirements in Massachusetts, based on the information provided in the Certificate of Graduation (COG) submitted by the nursing program, the nursing programs inability to maintain program accreditation and a review of requested/submitted documents by the nursing program in January 2023 that raise concerns with the curriculum and clinical.

Representatives from Azure College were invited to attend the meeting to answer questions by the Board. They were provided with a Panelist link to attend via Zoom but were not in attendance at the meeting.

ACTION:

Motion by K. Crowley, seconded by L. Kelly, and voted by roll call unanimously in favor that Azure College does not maintain standards substantially the same as those required for approval of a nursing education program in Massachusetts.

TOPIC: Education

244 CMR 6.05(3)(b) Annual Reports

April 12, 2023 Regular Session Board Meeting Minutes
(to be Approved 05/17/2023)

DISCUSSION:

S. Waite summarized her previously distributed memorandum and attached exhibits to the Board. The Board discussed the nursing programs 2022 Annual Report to the Board submitted in October 2022 and the Change Report identifying ongoing completion rates below 70%. Completion rates for academic year 2021-2022 was reported at 50%.

Representatives from Anna Maria College were present to answer questions from the Board. Representatives from the Program thanked the Board for all they do and noted they are working to increased completion rates and NCLEX pass rates. Calculation of completion rates was discussed by the Program as being calculated based on a five and seven semester program. Calculation rates were further clarified as being calculated based on time in the program and achievement of student learning outcomes. Strategies were implemented to address completion rates and include a review of student who left the program, strategic plan to increase completion rates that includes admission criteria, academic enrichment, tutoring, open labs and assistance with nursing care plans. Points were added to lowest exam grade for participating in academic enrichment; this was seen as a motivator and those who participated demonstrated successes in program and were reflected in completion and NCLEX pass rates. The Program is seeking a balance between completion rates and NCLEX pass rates. Board expressed concern that SPE lacks evidence of completion rates and NCLEX pass rates going back to 2018.

ACTION:

Motion by K. Crowley, seconded by R. Reynolds, and unanimously voted by roll call to: 1. Accept the programs 244 CMR 6.07(3) Program Change report for Completion Rate below 70%, 2. Find the nursing program not in compliance with 244 CMR 6.05(3)(b), 3. Direct the Program to submit to the Board an interim report with clear calculations of completion rates and results of strategies to improve completion rates by three months and 4. Continue Full Approval Status.

TOPIC: Education

244 CMR 6.05(3)(b) Annual Reports

Endicott College Baccalaureate Nursing Program

DISCUSSION:

S. Waite summarized her previously distributed memorandum and attached exhibits to the Board regarding the nursing programs 2022 Annual Report submitted in October 2022 and the Change Report for Admission of 10 or more students. Admissions for 2021 were 103 and 2022 were 127. The Change Report demonstrated the nursing program has sufficient resources to support the increase in admissions.

Representatives from Endicott College were present to answer questions from the Board. The Board did not have any questions for the Program representatives.

ACTION:

Motion by L. Kelly, seconded by K. Crowley, and voted unanimously by roll call to: 1. Accept the programs 244 CMR 6.07(3) Program Change Report for Admissions of 10 or more additional students. Find the nursing program in compliance with 244 CMR 6.05(3)(b) and 3. Continue Full Approval Status.

TOPIC: Education

244 CMR 6.05(3)(b) Annual Reports

Quinsigamond Community College Associate Degree Nursing Program

DISCUSSION:

S. Waite summarized her previously distributed memorandum and attached exhibits to the Board. S. Waite highlighted the nursing programs 2022 Annual Report submitted in October 2022 and the Change Report for Admission of 10 or more students. Admissions for 2021 were 296 and 2022 were 386, representing a 31% increase, many of which were displaced from the closed Becker College. The Change Report demonstrated the nursing program has sufficient resources to support the increase in admissions.

Representatives from Quinsigamond College were present to answer questions from the Board.

The Board thanked Quinsigamond College for stepping in to take displaced students from the closed Becker College. Quinsigamond reported successful completion rates for displaced Becker students with 44 completing the Program.

ACTION:

Motion by K. Crowley, seconded by L. Kelly, and voted unanimously by roll call to: 1. Accept the programs 244 CMR 6.07(3) Program Change Report for Admissions of 10 or more additional students. Find the nursing program in compliance with 244 CMR 6.05(3)(b) and 3. Continue Full Approval Status.

TOPIC: Education

244 CMR 6.06(2) Waiver of 244 CMR 6.06(1)(a) Regularly Scheduled Site Survey: Assabet Valley Regional Technical School Practical Nursing Program

DISCUSSION:

H. Caines Robson summarized her previously distributed Report Prepared in Compliance with 244 CMR 6.06 (2)(a): Waiver of 244 CMR 6.06 and attached exhibits to the Board.

Representatives from Assabet Valley Regional Technical School Practical Nursing Program were present to answer questions from the Board. There were no questions from Board members for Program representatives. The Board discussed the need for a site survey based on the areas of non-compliance identified and that the last Board site survey was conducted in 1997.

ACTION:

Motion by L. Kelly, seconded by K. Crowley and voted unanimously by roll call to:

1. Accept the staff compliance report finding:
 - a. written evidence of the program's accreditation;
 - b. the written findings and recommendations of the Board-recognized accrediting agency in nursing based on its review of the program.
 - c. the Program has provided satisfactory evidence of compliance with the regulations at 244 CMR 6.04 (1)(a), (1)(b), (1)(c), (1)(d), (1)(f), (1)(g), (1)(h), (2)(a), (2)(b), (3)(a)1, (3)(a)3, (3)(b), (4)a, (4)b, (S)(a), (S)(b), (S)(c), (S)(d) and (S)(e) and noncompliance to (1)(e), (3)(a)2 and (S)(f)
2. Continue Full Approval status at this time and direct the Program to demonstrate collection of the following regulatory deficiencies by July 12, 2023:
 - a. a revised systematic evaluation plan that includes, all components of the regulation, all required outcomes and policies and a SEP Calendar [ref 244 CMR 6.04 (1)(e)];
 - b. All Board required policies published with specific 11011-discriminatory criteria [ref 244. CMR 6.04(3)(a)(2)];

- c. revised written agreements with cooperating agencies utilized as clinical learning sites specifying that they are developed and reviewed annually by both program and agency personnel; with defined parameters of activities and the responsibilities of the program, the student and the cooperating agency, including but not limited to, that patient safety is the responsibility of the agency and student evaluation is the responsibility of the Program faculty [ref: 244 CMR 6.04 (5)(f)].
 3. Failure to correct these regulatory deficiencies by the established due dates will result in the Board's evaluation of the Program's approval status [ref: 244 CMR 6.08(1)].
 4. Conduct a Regularly Scheduled Site Survey of the Program
-

TOPIC: Education
Student Numbers Report 2022

DISCUSSION: S. Waite previously distributed a memorandum, Student Numbers Report: Admissions, Enrollment and Graduates by Program and 5 Year Variance and was available for questions.

ACTION: None

TOPIC: Requests for License Reinstatement: None

DISCUSSION: None

ACTION: None

TOPIC: Strategic Development, Planning and Evaluation
Proposed Policy 23-01: Education Requirements for Foreign Educated Nurses

DISCUSSION:
H. Caines Robson summarized her previously distributed Proposed Policy 23-01: Education Requirements for Foreign Educated Nurses. The Board discussed the educational requirements for licensure of foreign educated nurses to ensure compliance with Regulations 244 CMR 6.04(3)(a) 6.04(4)(b), 8.02, 8.03 and 8.04. The Board discussed amendments to the policy to include that the policy applies to RNs and LPNs.

ACTION:
Motion by L. Kelly, seconded by L. Keough , and voted unanimously by roll call to approve the policy as amended by the Board.

TOPIC: Strategic Development, Planning and Evaluation

Topics for Next Agenda: None

DISCUSSION: None

ACTION: None

TOPIC:
G.L. c.30A, §21 Executive Session

DISCUSSION: Board Chairperson read the Executive Session authorization while in Regular Session.

ACTION: None

Motion by L. Kelly seconded by A. Alley and voted unanimously by roll call in favor to convene the G.L. c. 112, s. 65C Session at 10:39 a.m.

G.L. c. 112, s. 65C Session 10:39 a.m. to 12:48 p.m.

TOPIC:

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

DISCUSSION: The BORN office lost internet connection at 11:15 am. At the time the internet was lost, items A. Call to Order., B. Approval of Agenda and C. Approval of Minutes (None) were heard. Items D. Reconsiderations of Prior Board Offers was in progress. Item D1 was heard with a motion, second and roll call completed. At the time the internet connection was lost the Board was hearing item D2. The meeting resumed at 11:48 a.m when internet connection was restored.

ACTION:

Motion by L. Kelly seconded by A. Alley and voted unanimously by roll call in favor to convene the Adjudicatory Session at 12:52 p.m. to deliberate on proposed final decisions and orders, and rulings on pending adjudicatory matters.

Adjudicatory Session 12:52 p.m. to 12:58 p.m.

TOPIC:

Adjudicatory Session

DISCUSSION: None

ACTION:

Motion by L. Kelly, seconded by A. Alley, and voted unanimously by roll call in favor to convene the G.L. c. 30A, § 21 Executive Session at 1:18 p.m.

G.L. c. 30A, § 21 Executive Session 1:18 p.m. to <> p.m.

TOPIC:

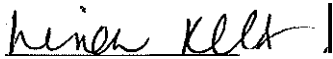
Adjournment

DISCUSSION: None

ACTION:

Motion by L. Kelly seconded by A. Alley, and voted unanimously by roll call in favor to adjourn the meeting at 4:09 p.m.

Minutes of the Board's April 12, 2023, Regularly Scheduled Meeting were approved by the Board on May 17, 2023.



Linda Kelly, DNP,RN,NP

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

250 Washington Street
Conference Room 3C
Boston, Massachusetts 02108

And Via Zoom

Wednesday, April 12, 2023 9:00 am 11 hour 30 Minutes | (UTC-04:00) Eastern Time (US & Canada)

Event address for attendees:

<https://us06web.zoom.us/j/86550881328>

Join by Phone:

+1-602-333-0032 US Toll

+1-888-270-9936 US Toll Free

Access code: 247716

Wednesday, April 12, 2023

PRELIMINARY AGENDA AS OF 4/03/23 10:10 am

	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· NONE	None	
	IV.	REPORTS, ANNOUNCEMENTS AND ADMINISTRATIVE MATTERS A. Announcements	Oral/ Memo	CM
	V.	SARP A. SARP Activity Report B. Reimbursement of Fees Notice	Report Report	MW MW

	VI.	PROBATION A. Probation Staff Action Report - None B. Termination of Probation/Stayed Probation - None C. Request for Notice of Violation and Further Discipline - None	None None None	
	VII.	PRACTICE A. Practice Coordinator Staff Report	Report	PM
	VIII.	EDUCATION A. Nursing Education Staff Report B. 244 CMR 6.03(2) (a) Nursing Education Programs Eligible for Approval Out of State Programs 1. Azure College C. 244 CMR 6.05 (3)(b) Annual Reports 1. Anna Maria College Baccalaureate Nursing Program 2. Endicott College Baccalaureate Nursing Program 3. Quinsigamond Community College Associate Degree Nursing Program D. 244 CMR 6.06 (2) Waiver of 244 CMR 6.06 (1)(a) Regularly Scheduled Site Survey 1. Assabet Valley Regional Technical School Practical Nursing Program E. Student Numbers Report 2022	Report Memo Memo Memo Memo Report Report	HCR SW SW SW SW HCR SW
	IX.	REQUESTS FOR LICENSE REINSTATEMENT - None A. Name, Complaint Number, License Types/Numbers - None	None	
	X.	STRATEGIC DEVELOPMENT, PLANNING AND EVALUATION A. Presentation / Report 1. Proposed Policy 23-01: Education Requirements for Foreign Educated Nurses B. Topics For Next Agenda	Report	HCR

		LUNCH BREAK		
	XI.	M.G.L. c. 112, § 65C SESSION	CLOSED SESSION	
	XII.	M.G.L. c. 30A, § 18 ADJUDICATORY SESSION		
	XIII.	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"> 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. 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. 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 Addiction Recovery Program. Approval of prior executive session minutes in accordance with M.G.L. c. 30A, § 22(f) for sessions held during the February 8, 2023 meeting. 	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 Erin Bartlett at erin.bartlett2@mass.gov 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.