

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

250 Washington Street, Room 3C
Boston, MA 02108

And Via Zoom

Wednesday, December 13, 2023 9:00 am | 2 Hours 30 Minutes | (UTC-04:00) Eastern Time (US & Canada)

Event address for attendees:

<https://us06web.zoom.us/j/82816256394>

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, December 13, 2023

Board Members Present In Room 3C

None

Board Members Not Present

K.A. Barnes, JD, RPh

M. Harty, LPN

Board Members Present Via Audio Or Video

L. Kelly, DNP, RN, CNP, Chairperson

A. Alley, MSN, RN, Vice Chairperson

K. Crowley, DNP, RN (Left at 10:07am)

A. Joseph, MD (Arrived at 9:07am)

L. Keough, PhD, RN, CNP

M. McAuliffe, DNP, RN

J. Monagle, PhD, RN

D. Nikitas, BSN, RN

V. Percy, MSN, RN

R. Reynolds, PhD, MSN, RN

A. Sprague, BS, RN

L. Wu, MBA, RN

Staff Present In Room 3C

P. Scott, Licensing Coordinator

L. Bermudez, Program Coordinator I

S. Gaun, Office Support Specialist I

Staff Not Present

Staff Present Via Audio Or Video

H. Cambra, JD, RN, Acting Executive Director

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

H. Engman, JD, Chief Board Counsel

M. Bresnahan, 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
C. DeSpirito, JD, BSN, RN, Complaint Resolution
Coordinator
A. Hallowell, BSN, RN, Complaint Resolution
Coordinator
L. Almeida, RN, Nursing Investigations Supervisor
M. Waksmonski, MSN, RN, SARP Coordinator
G. Velez Rivera, MBA, SARP Monitoring Coordinator
E. Conlon, SARP Monitoring Coordinator
L. Ferguson, Paralegal
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 9:04 a.m., L. Kelly, DNP, RN, CNP, Chairperson, called the December 13, 2023 Regularly Scheduled Board Meeting to order.

TOPIC:

Approval of Agenda

DISCUSSION:

H. Cambra asked to move Agenda Item X. D. to be heard following Agenda Item IV.

M. Waksmonski stated Agenda Item X. C. SARP Policy 19-01, Staff Action Authority to Resolve Selected SARP Matters will be deferred.

ACTION:

Motion by L. Kelly, seconded by A. Alley, and voted by roll call with A. Alley, K. Crowley, A. Joseph, L. Kelly, L. Keough, M. McAuliffe, J. Monagle, D. Nikitas, V. Percy, R. Reynolds, A. Sprague and L. Wu unanimously in favor to approve the Agenda as revised.
Motion carries.

TOPIC:

Approval of Board Minutes for the November 8, 2023 Meeting of the Regularly Scheduled Board Meeting

DISCUSSION:

None.

ACTION:

Motion by L. Kelly, seconded by A. Alley, and voted by roll call with A. Alley, K. Crowley, A. Joseph, L. Kelly, M. McAuliffe, J. Monagle, D. Nikitas, V. Percy, R. Reynolds, A. Sprague and L. Wu in favor to accept the Minutes of the November 8, 2023 Regularly Scheduled Board Meeting as presented.

L. Keough abstained.

Motion carries.

TOPIC: Reports, Announcements and Administrative Matters**Announcements****DISCUSSION:**

H. Cambra reminded Board Members that their state email passwords expire every 90 days, and they must reset their password to avoid being locked out of their account. H. Cambra added that she will remind Board Members when the deadline to reset passwords is coming up since Board Members do not receive notification of the expiration date.

H. Cambra added that Board Staff is working on scheduling an additional Executive Session to catch up on matters that have been previously deferred. H. Cambra urged Board Members to be on the lookout for the Doodle Poll sent out with potential dates to schedule the extra Executive Session.

H. Cambra stated that NCSBN will be joining the February 2024 Board Meeting, and asked Board Members to reach out by the January Board Meeting if they have any topics of interest to discuss at the February meeting.

H. Cambra announced that the Zoom call-in technical issues were resolved, and attendees should be able to call in without an issue.

A. Joseph asked H. Cambra if Board Members will receive a prompt or notification when logging in that their password is a few days from expiring, and if not, how do Board Members initiate the password change. H. Cambra stated that there is no prompt or notification but will follow up with more information.

K. Crowley asked if it is possible to extend the hours for the additional executive Session to either start earlier or later in the day. H. Cambra stated that additional times can be added to the Doodle Poll and all alternatives are being discussed.

A. Alley asked about the 450 patients exposed to HIV and Hepatitis at Massachusetts General Brigham, Salem Hospital, and if it was a nursing or provider issue. A. Alley asked if it was a nursing issue, the nurses involved would be expedited to the Board. H. Cambra confirmed that she will follow up with the Board's disciplinary staff.

V. Percy stated the Doodle Polls are hard to use and generate a lot of advertisements that make it difficult to respond appropriately. A. Joseph asked if it was possible to upgrade to the ad-free version.

L. Hillson announced there were three (3) open Board seats and encouraged people to reach out if interested in the position.

ACTION:

So noted.

TOPIC: SARP
Activity Report

DISCUSSION:
M. Waksmonski was available for questions.

ACTION:
So noted.

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:
So noted.

TOPIC: Education
Nursing Education Staff Report

DISCUSSION:

December 13, 2023 Regular Session Board Meeting Minutes
(to be Approved 01/10/2024)

H. Caines Robson was available for questions.

ACTION:

So noted.

TOPIC: Education

6.03: Nursing Education Programs Eligible for Approval
Lincoln Technical Institute

DISCUSSION:

H. Cambra stated that the representation for Lincoln Technical Institute requested that this matter not be heard before the Board since the LPN Program Policy has been approved.

ACTION:

So noted.

TOPIC: Education

244 CMR 6.08 (1)(g) NCLEX pass rate less than 80% for first-time writers
Curry College Baccalaureate Degree Nursing Program – Represented by Dean M. McMahon via Zoom
Audio and Video

DISCUSSION:

H. Caines Robson summarized her previously distributed memorandum and attached exhibits to the Board.

K. Crowley asked H. Caines Robson if there should be a date listed in the recommendations to have the revised systematic evaluation plan submitted to the Board, and H. Caines Robson suggested three (3) months from the date of this meeting.

ACTION:

Motion by L. Kelly, seconded by K. Crowley, and voted by roll call with A. Alley, K. Crowley, A. Joseph, L. Kelly, L. Keough, M. McAuliffe, J. Monagle, D. Nikitas, V. Percy, A. Sprague and L. Wu unanimously in favor to:

1. Accept the Program's Notification of Change Report for NCLEX pass rates below 80% and find that the Program appropriately identified the factors that contributed to the low NCLEX pass rates and has provided an acceptable plan to address the change; and
2. Continue Full Approval status at this time.
3. For the effectiveness of the nursing education program. Direct the program to revise the systematic evaluation plan based on the newly promulgated 244 CMR 6.0 to include, but not limited to, clearly stated expected levels of achievement specificity (achievable and measurable) with all Board required outcomes and the 14 Board required policies [ref 244 CMR 6.04 (1)(h)], to be submitted within three (3) months from the date of this meeting.

R. Reynolds recused.

Motion carries.

TOPIC: Education

244 CMR 6.08 (1)(g) NCLEX pass rate less than 80% for first-time writers

Mt. Wachusett Community College Associate Degree Nursing Program – Represented by Program Administrator K. Shea via Zoom Audio and Video

DISCUSSION:

H. Caines Robson summarized her previously distributed memorandum and attached exhibits to the Board.

R. Reynolds clarified that the Mt. Wachusett Community College did not submit an SEP document, and H. Caines Robson confirmed.

ACTION:

Motion by K. Crowley, seconded by L. Kelly, and voted by roll call with A. Alley, K. Crowley, A. Joseph, L. Kelly, L. Keough, M. McAuliffe, J. Monagle, D. Nikitas, V. Percy, R. Reynolds, and L. Wu unanimously in favor to:

1. Accept the Program's Notification of Change Report for NCLEX pass rates below 80% and find that the Program appropriately identified the factors that contributed to the low NCLEX pass rates and has provided an acceptable plan to address the change: and
2. Continue Full Approval status at this time.
3. Direct the Program to submit by **January 13, 2024:**
 - a. Systematic Evaluation Plan that includes, but not limited to, measurable expected levels of achievement, evaluation methodologies, frequency of evaluation, responsible person(s), aggregated and trended data and other findings, actual outcomes and resulting actions for all components of the Regulations.

A. Sprague abstained.

Motion carries.

TOPIC: Education

244 CMR 6.08 (1)(g) NCLEX pass rate less than 80% for first-time writers

Quinsigamond Community College Associate Degree Nursing Program – Represented by Program Administrator P. Creelman via Zoom Audio and Video

DISCUSSION:

S. Waite summarized her previously distributed memorandum and attached exhibits to the Board.

ACTION:

Motion by L. Kelly, seconded by K. Crowley, and voted by roll call with A. Alley, K. Crowley, A. Joseph, L. Kelly, L. Keough, M. McAuliffe, J. Monagle, D. Nikitas, V. Percy, R. Reynolds, A. Sprague and L. Wu unanimously in favor to:

1. Accept the Program's Notification of Change Report for NCLEX pass rates below 80% and find that the Program appropriately identified the factors that contributed to the low NCLEX pass rates and has provided an acceptable plan to address the change: and
2. Continue Full Approval status at this time.

Motion carries.

TOPIC: Education

244 CMR 6.08 (1)(g) NCLEX pass rate less than 80% for first-time writers

Regis College Baccalaureate Degree Nursing Program – Represented by Associate Dean and Program Administrator M. Cullen with Assistant Dean M. Cyganik via Zoom Audio and Video

DISCUSSION:

H. Caines Robson summarized her previously distributed memorandum and attached exhibits to the Board.

L. Kelly asked if three (3) months is appropriate for submission of the SEP report, and H. Caines Robson confirmed it was.

J. Monagle asked about the tutoring efforts, and if there are standards for the students to get the required hours. M. Cullen stated that the school received a grant that provides faculty led tutoring for all students.

ACTION:

Motion by J. Monagle, seconded by L. Kelly, and voted by roll call with A. Alley, A. Joseph, L. Kelly, L. Keough, M. McAuliffe, J. Monagle, D. Nikitas, V. Percy, R. Reynolds, A. Sprague and L. Wu unanimously in favor to:

1. Accept the Program's Notification of Change Report for NCLEX pass rates below 80% and find that the Program appropriately identified the factors that contributed to the low NCLEX pass rates and has provided an acceptable plan to address the change: and
2. Continue Full Approval status at this time.
3. For the effectiveness of the nursing education program. Direct the program to revise the systematic evaluation plan based on the newly promulgated 244 CMR 6.0 to include, but not limited to, clearly stated expected levels of achievement specificity (achievable and measurable) with all Board required outcomes and the 14 Board required policies [ref 244 CMR 6.04 (1)(h)], to be submitted within three (3) months.

K. Crowley recused.

Motion carries.

TOPIC: Education

244 CMR 6.08 (1)(g) NCLEX pass rate less than 80% for first-time writers

UMass Boston Baccalaureate Degree Nursing Program – Represented by Chair and Program Administrator P. Gazarian via Zoom Audio and Video

DISCUSSION:

S. Waite summarized her previously distributed memorandum and attached exhibits to the Board.

R. Reynolds noted that the Program's change report was well-written, and student centered.

ACTION:

Motion by L. Kelly, seconded by R. Reynolds, and voted by roll call with A. Joseph, L. Kelly, L. Keough, M. McAuliffe, J. Monagle, D. Nikitas, V. Percy, R. Reynolds, A. Sprague and L. Wu in favor to:

1. Accept the Program's Notification of Change Report for NCLEX pass rates below 80% and find that the Program appropriately identified the factors that contributed to the low NCLEX pass rates and has provided an acceptable plan to address the change: and
2. Continue Full Approval status at this time.

A. Alley not present.

Motion carries.

TOPIC: Requests for License Reinstatement – None

DISCUSSION:

None.

ACTION:

None.

TOPIC: Strategic Development, Planning and Evaluation

Presentation / Report

Legislative Update Report

DISCUSSION:

L. Hillson summarized her previously distributed memorandum and attached exhibits to the Board.

ACTION:

So noted.

TOPIC: Strategic Development, Planning and Evaluation

Presentation / Report

Unified Rehabilitation and Monitoring Program (URAMP)

DISCUSSION:

M. Waksmonski summarized his previously distributed memorandum and attached exhibits to the Board.

ACTION:

So noted.

TOPIC: Strategic Development, Planning and Evaluation

Presentation / Report

SARP Policy 19-01, Staff Action Authority to Resolve Selected SARP Matters

DISCUSSION:

Deferred.

ACTION:

Deferred.

TOPIC: Strategic Development, Planning and Evaluation

Presentation / Report

Board Delegated Authority to Approve Nursing Education Programs' Request to Increase Student Admission 20% or More Above the Most Recent Three-Year Program Admission Mean

DISCUSSION:

H. Cambra summarized her previously distributed memorandum and attached exhibits to the Board.

ACTION:

Motion by L. Kelly, seconded by A. Alley, and voted by roll call with A. Alley, K. Crowley, A. Joseph, L. Kelly, L. Keough, M. McAuliffe, J. Monagle, D. Nikitas, V. Percy, R. Reynolds, A. Sprague and L. Wu unanimously in favor to accept the proposed policy.
Motion carries.

TOPIC: Strategic Development, Planning and Evaluation**Presentation / Report**

Board Delegated Authority to Approve Graduates of LPN (LV) Nursing Education Programs outside of Massachusetts for Licensure by Reciprocity or by Exam

DISCUSSION:

H. Cambra summarized her previously distributed memorandum and attached exhibits to the Board.

L. Kelly asked if the new regulations are clear on what the new accreditation requirements are and H. Cambra confirmed that it does for in state and out-of-state programs.

K. Crowley voiced concerns, stating that the accreditation status helps prepare students to care for patients, and the out-of-state programs not requiring that prompted the rigorous out-of-state licensure policies. K. Crowley voiced concerns regarding out-of-state programs having less surveillance on their program and curriculum offered.

L. Kelly and H. Cambra clarified that Board Staff will be reviewing the curriculums to ensure that the classes are substantially similar to those offered in Massachusetts nursing programs. H. Cambra added that those that fall outside of the criteria will come before the Board. K. Crowley voiced concerns about setting precedents. L. Kelly stated all RN programs are accredited and the LPN programs are the focus of the policy because of the lack of accreditation. S. Waite clarified that the standard for RN programs is the accreditation, which was not the case for many LPN programs. K. Crowley added there is a lot of recent development of LPNs in acute care settings, and LPNs coming from a non-accredited school may affect the quality of care received in the facilities.

L. Kelly asked S. Waite if LPNs were being licensed prior to these regulations, and S. Waite stated they review the number of hours of clinical and the content of the programs, and the new promulgation took away that requirement. J. Monagle added that there are Associate Degree RN programs in California that are not accredited, but the California Board of Nursing has strict regulations.

H. Cambra emphasized that the policy is not asking for the waiver of the regulatory requirements, it is proposing an exception to be made for LPN programs and allowing Board Staff to conduct a thorough review to ensure the requirements are met.

ACTION:

Motion by L. Kelly, seconded by A. Alley, and voted by roll call with A. Alley, A. Joseph, L. Kelly, L. Keough, J. Monagle, R. Reynolds, and L. Wu in favor to accept the proposed policy.
K. Crowley, M. McAuliffe, D. Nikitas, V. Percy, A. Sprague voted in opposition.
Motion carries.

TOPIC: Strategic Development, Planning and Evaluation**Topics for Next Agenda**

DISCUSSION:

P. McNamee added there was a conversation with Board Counsel regarding Telehealth services.
P. McNamee stated that there will be either an Advisory Ruling or Policy forthcoming for guidance.

ACTION:

So noted.

TOPIC:

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

DISCUSSION:

None.

ACTION:

Motion by L. Kelly, seconded by A. Alley, and voted by roll call with A. Alley, A. Joseph, L. Kelly, L. Keough, M. McAuliffe, J. Monagle, D. Nikitas, V. Percy, R. Reynolds, A. Sprague and L. Wu unanimously in favor to convene the G.L. c. 112, s. 65C Session at 10:42 a.m.
Motion carries.

G.L. c. 112, s. 65C Session 10:42 a.m. to 11:33 a.m.

TOPIC:

Adjudicatory Session

DISCUSSION:

None.

ACTION:

Motion by L. Kelly, seconded by A. Alley, and voted by roll call with A. Alley, K. Crowley, A. Joseph, L. Kelly, L. Keough, M. McAuliffe, J. Monagle, D. Nikitas, V. Percy, R. Reynolds, A. Sprague and L. Wu unanimously in favor to convene the Adjudicatory Session at 11:37 a.m. to deliberate on proposed final decisions and orders, and rulings on pending adjudicatory matters.
Motion carries.

Adjudicatory Session 11:37 a.m. to 11:41 a.m.

TOPIC:

G.L. c.30A, §21 Executive Session

DISCUSSION:

None.

ACTION:

Motion by L. Kelly, seconded by A. Alley, and voted by roll call with A. Alley, K. Crowley, A. Joseph, L. Kelly, M. McAuliffe, J. Monagle, D. Nikitas, V. Percy, R. Reynolds, A. Sprague and

L. Wu unanimously in favor to convene the Executive Session at 12:17 p.m. as per Purpose One of G.L. c.30A, §21 (a)(1).

L. Keough not present.

Motion carries.

G.L. c. 30A, § 21 Executive Session 12:17 p.m. to 5:03 p.m.

TOPIC:

Adjournment

DISCUSSION:

None.

ACTION:

Motion by L. Kelly, seconded by A. Alley, and voted by roll call with A. Alley, A. Joseph, L. Kelly, L. Keough, J. Monagle, D. Nikitas, V. Percy, R. Reynolds, A. Sprague and L. Wu unanimously in favor to adjourn the meeting at 5:04 p.m.

Motion carries.

Minutes of the Board's December 13, 2023, Regularly Scheduled Meeting were approved by the Board on January 10, 2024.

Linda Kelly, DNP, RN, CNP

Linda Kelly, DNP, RN, CNP

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, December 13, 2023 9:00 am | 2 Hours 30 Minutes | (UTC-04:00) Eastern Time (US & Canada)

Event address for attendees:

<https://us06web.zoom.us/j/82816256394>

Join by Phone:

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Wednesday, December 13, 2023

PRELIMINARY AGENDA AS OF 11/30/23 1:30pm

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 November 8, 2023 Meeting of the Board of Registration in Nursing, Regular Session Via Zoom	Minutes	
	IV.	REPORTS, ANNOUNCEMENTS AND ADMINISTRATIVE MATTERS A. Announcements	Oral / Memo	HC
	V.	SARP A. SARP Activity Report	Report	MW
	VI.	PROBATION A. Probation Staff Action Report – None		

	VII.	PRACTICE A. Practice Coordinator Staff Report	Report	PM
	VIII.	EDUCATION A. Nursing Education Staff Report B. 244 CMR 6.03: Nursing Education Programs Eligible for Approval 1. Lincoln Technical Institute C. 244 CMR 6.08 (1)(g) NCLEX pass rate less than 80% for first-time writers 1. Curry College Baccalaureate Degree Nursing Program 2. Mt. Wachusett Community College Associate Degree Nursing Program 3. Quinsigamond Community College Associate Degree Nursing Program 4. Regis College Baccalaureate Degree Nursing Program 5. UMass Boston Baccalaureate Degree Nursing Program	Report Memo Memo Memo Memo Memo Memo	HCR TBD HCR HCR SW HCR SW
	IX.	REQUESTS FOR LICENSE REINSTATEMENT - None		
	X.	STRATEGIC DEVELOPMENT, PLANNING AND EVALUATION A. Legislative Update Report B. Unified Rehabilitation and Monitoring Program (URAMP) C. SARP Policy 19-01, Staff Action Authority to Resolve Selected SARP Matters D. AR/Policy Placeholder E. Topics For Next Agenda	Memo/Report/Oral Memo Memo Memo	LH HC/MW MW HC

		LUNCH BREAK	
	XI.	M.G.L. c. 112, § 65C SESSION	CLOSED SESSION
	XII.	M.G.L. c. 30A, § 18 ADJUDICATORY SESSION	CLOSED 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. 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 Addiction Recovery Program. 4. Approval of prior executive session minutes in accordance with M.G.L. c. 30A, § 22(f) for sessions held during the November 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.