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

250 Washington Street, Room 3C Boston, MA 02108

And Via Zoom

Wednesday, February 8, 2023 9:00 am 11 hour 30 minutes I (UTC-04:00) Eastern Time (US & Canada) Event address for attendees:

https://us06web.zoom.us/j/88267582395

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, Februa1y 8, 2023

### Board Members Present In Room 3C

None

### Board Members Present Via Audio Or Video

A. Alley, MSN, RN, Vice Chairperson

K.A. Barnes, JD, RPh

L. Keough, PhD, RN, CNP (Arrived at 9:11am)

M. McAuliffe, DNP, RN

J. Monagle, PhD, RN

D. Nikitas, BSN, RN

C. Norris, LPN

V. Percy, MSN, RN

A. Sprague, BS, RN

L. Wu, MBA, RN

### Board Members Not Present

L. Kelly, DNP, RN, CNP, Chairperson

K. Crowley, DNP, RN

M. Harty, LPN

R. Reynolds, PhD, MSN, RN

### Staff Present In Room 3C

P. Scott, Licensing Coordinator

S. Gaun, Office Support Specialist I

V. Pettigrew, Office Support Specialist I

### Staff Not Present

0. Atueyi, JD, Board Counsel

G. Velez Rivera, MBA, SARP Monitoring Coordinator

L. Ferguson, Paralegal

### Staff Present Via Audio Or Video

C. MacDonald, DNP, RN, Executive Director

H. Cambra, JD, RN, Deputy Executive Director

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

M. Jardonnet, JD, Board Counsel

S. Waite, DNP, RN, Nursing Education Coordinator

H. Caines Robson, MSN, RN, Nursing Education

February 8, 2023 Regular Session Board Meeting Minutes

(to be Approved I0/11/2023) Page **1** of **12**

Coordinator

P. McNamee, MS, RN, Nursing Practice Coordinator

C. DeSpirito, JD, BSN, RN, Complaint Resolution Coordinator

L. Almeida, RN, Nursing Investigations Supervisor

M. Waksmonski, MSN, RN, SARP Coordinator

M. Toner, SARP Monitoring Coordinator

K. Jones, Probation Compliance Officer

## TOPIC:

Call to Order & Determination of Quornm

## DISCUSSION:

A. Alley confirmed by roll call that a quornm of the Board members was present and announced that the meeting was being recorded.

## ACTION:

At 9:00 a.m., A. Alley, MSN, RN, Vice Chairperson, called the Febrnary 8, 2023 Regularly Scheduled Board Meeting to order.

## TOPIC:

Approval of Agenda

## DISCUSSION:

S. Waite stated Agenda Items VIII F. 2. Massachusetts College of Pharmacy and Health

Sciences Boston Baccalaureate Degree Nursing Program and Item VIII F. 3. Massachusetts College of Pharmacy and Health Sciences Worcester Baccalaureate Degree Nursing Program will be deferred.

K. Jones stated Agenda Item VI D. I. J. Murden, NUR-2020-0028, LN61921 will be deferred.

## ACTION:

Motion by A. Alley, seconded by K.A. Barnes, and voted by roll call with A. Alley, K.A. Barnes,

M. McAuliffe, J. Monagle, D. Nikitas, C. Norris, V. Percy, A. Sprague and L. Wu unanimously in favor to approve the Agenda as revised.

Motion ca1Ties.

## TOPIC:

Approval of Board Minutes for the December 14, 2022 Meeting of the Regularly Scheduled Board Meeting

## DISCUSSION:

None.

## ACTION:

Motion by A. Alley, seconded by K.A. Barnes, and vote.d by roll call with A. Alley, K.A. Barnes,

M. McAuliffe, J. Monagle, D. Nikitas, C. Norris, V. Percy, A. Sprague and L. Wu in favor to accept the Minutes of the December 14, 2022 Regularly Scheduled Board Meeting as presented.

Motion carries.

## TOPIC:

Approval of Board Minutes for the January 11, 2023 Meeting of the Regularly Scheduled Board Meeting

## DISCUSSION:

None.

## ACTION:

Motion by A. Alley, seconded by K.A. Barnes, and voted by roll call with A. Alley, K.A. Barnes,

M. McAuliffe, **J.** Monagle, D. Nikitas, C. Norris, V. Percy, A. Sprague and L. Wu in favor to accept the Minutes of the Januaiy 11, 2023 Regularly Scheduled Board Meeting as presented.

Motion carries.

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

## DISCUSSION:

C. MacDonald announced to the Board that there is a new Board Member, M. McAuliffe DNP, RN, who will be sitting in the Direct Care Outpatient Community Behavioral Seat, RN: C. MacDonald further announced that there will be another new Board Member starting next month, who will be sitting in the Physician Seat. C. MacDonald stated that she will introduce him at the next Board Meeting.

C. MacDonald stated that there are two (2) Consumer Seats vacant.

## ACTION:

So noted.

**TOPIC:** SARP

Activity Report

## DISCUSSION:

M. Waksmonski was available for questions.

## ACTION:

So noted.

**TOPIC:** Probation

Staff Action Report - None

## DISCUSSION:

K. Jones was available for questions.

## ACTION:

So noted.

**TOPIC:** Probation

Request for Termination of Probation/Stayed Probation - None

## DISCUSSION:

Februmy 8, 2023 Regular Session Board Meeting Minutes

None.

## ACTION:

None.

**TOPIC:** Probation

Request for Notice of Violation and Further Discipline - None

## DISCUSSION:

None.

## ACTION:

None.

**TOPIC:** Probation

Request for Modification of Consent Agreement in the matter of J. Murden, NUR-2020-0028, LN61921

## DISCUSSION:

Deferred.

## ACTION:

Defen-ed.

**TOPIC:** Practice

Practice Coordinator Staff Report

## DISCUSSION:

P. McNamee was available for questions.

## ACTION:

So noted.

**TOPIC:** Educatfon

Nursing Education Staff Report

1. Staff Action Report
2. Annual report to the Board
3. 2023 Site Survey Schedule

## DISCUSSION:

H. Caines Robson was available for questions.

## ACTION:

So noted.

**TOPIC:** Education

244 CMR 6.05 Initial Approval Nursing Education Programs

Wheaton College Baccalaureate Degree Nursing - Represented by Dean C. Dieujuste, present by Zoom audio and video

Februaiy 8, 2023 Regular Session Board Meeting Minutes

## DISCUSSION:

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

## ACTION:

Motion by A. Alley, seconded by J. Monagle, and voted by roll call with A. Alley, K.A. Barnes,

M. McAuliffe, J. Monagle, D. Nikitas, C. Norris, V. Percy, A. Sprague and L. Wu in favor to accept the staff report finding and continue with approval status at this time.

L. Keough not present.

Motion carries.

**TOPIC:** Education

244 CMR 6.05 (3)(b) Annual Reports

Massachusetts General Hospital Institute of Health Professions Direct Entry Nursing Programs - Represented by Associate Dean R. Hill, present by Zoom audio and video

## DISCUSSION:

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

## ACTION:

Motion by A. Alley, seconded by L. Keough, and voted by roll call with A. Alley, K.A. Barnes,

L. Keough, M. McAuliffe, D. Nikitas, C. Norris, V. Percy, A. Sprague and L. Wu in favor to accept the changes to increase admissions and find the program in full compliance.

J. Monagle recused.

Motion ca1Ties.

**TOPIC:** Education

244 CMR 6.06 Site Survey of Nursing Education Programs

Greater Lowell Technical School Practical Nursing Program - Represented by Director C. Messina, present by Zoom audio and video

## DISCUSSION:

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

## ACTION:

Motion by A. Alley, seconded by **J.** Monagle, and voted by roll call with A. Alley, K.A. Barnes,

L. Keough, M. McAuliffe, J. Monagle, D. Nikitas, C. Norris, V. Percy, A. Sprague and L. Wu unanimously in favor to accept the recommendations and continue approval status at this time. Motion carries.

**TOPIC:** Education

244 CMR 6.06 (2) Waiver of244 CMR 6.06 (I )(a) Regularly Scheduled Site Survey

Springfield Technical Community College Associate Degree Nursing Program - Represented by Director of Nursing L. Fugiel, present by Zoom audio and video

## DISCUSSION:

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

## ACTION:

Motion by A. Alley, seconded by L. Keough, and voted by roll call with A. Alley, K.A. Barnes,

L. Keough, M. McAuliffe, J. Monagle, D. Nikitas, C. Norris, V. Percy, A. Sprague and L. Wu unanimously in favor to accept the staff report finding and continue approval status at this time. Motion carries.

**TOPIC:** Education

244 CMR 6.08 (l)(a) The Board's Receipt of Information Documenting a Violation of244 CMR 6.00 Baystate College Associate Degree Nursing Program - Represented by Nurse Administrator J. Verstreken and Chief Academic Officer C. Mclnerny, present by Zoom audio and video •

## DISCUSSION:

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

C. Mcinerny states the program is fully funded, the faculty to student ratio remains within previous limits, and the program has achieved an 82.4% NCLEX pass rate which is above threshold and the national average. C. Mcinerny stated that the program is in the process of developing a memorandum of understanding for the 20 remaining students in the program. C. Mclnerny states that the program has made agreements with Lawrence Memorial, Regis College, Laboure College, Brockton Hospital School of Nursing and are working on agreements with Quincy College, Northern Essex Community College, and Bristol Community College. C. Mcinerny states that the program has filed an appeal.

A. Alley clarifies that the program is scheduled to end in August 2023. H. Caines Robson asked if the program will file a change report for closing of the program and C. Mcinerny stated that will be done after the appeal and there is a decision made to accept or deny the appeal. C. Mcinerny stated that if the appeal is accepted, Baystate will continue to maintain the program and provide additional resources.

J. Monagle asked C. Mcinerny what the agreement was between Lawrence Memorial and Quincy College, and if the students' credits will be transferred, or if there is a residency requirement. C. Mcinerny stated that the students that are transferring are second semester students who are taking fundamental classes at that time, with Lawrence Memorial and Laboure College agreeing to accept transfer credits for their fundamental courses and general education requirements.

H. Caines Robson stated that given the current status of the parent institution, an approval with warning status would allow for closer monitoring and monthly reports from the program until there is a final decision on the parent institution's status, and the Board could review the program again at that time. H. Caines Robson fmther stated that they are scheduled to conduct a site survey as well. C. Mcinerny states the program would be happy to submit to closer monitoring without warning status as students were negatively affected by the previous warning status decision..

A. Alley stated he would like to see the closer monitoring, and J. Monagle expressed that placing the program on warning status protects the students and does not negatively affect the students. C. Mcinerny stated that students were w01Tied that their degrees would not be accepted, and it may affect their chances at employment and sitting for the NCLEX if the school was placed on warning status. L. Keough clarified that it does not and suggested to C. Mcinerny to educate the students on what approval with warning

status means. C. Mclnerny and J. Verstreken stated that they have educated the students earlier when the Withdrawal of Accreditation was taking effect and it did not alleviate the concerns.

## ACTION:

Motion by J. Monagle, seconded by K.A. Barnes, and voted by roll call with A. Alley, K.A. Barnes,

L. Keough, M. McAuliffe, J. Monagle, D. Nikitas, C. Norris, V. Percy, A. Sprague and L. Wu unanimously in favor to find Baystate College in non-compliance and place the program on approval with warning status.

Motion carries.

**TOPIC:** Education

244 CMR 6.08 (l)(a) The Board's Receipt oflnformation Documenting a Violation of244 CMR 6.00 Massachusetts College of Pharmacy and Health Sciences Boston Baccalaureate Degree Nursing Program

## DISCUSSION:

Deferred.

## ACTION:

Deferred.

**TOPIC:** Education

244 CMR 6.08 (l)(a) The Board's Receipt oflnfonnation Documenting a Violation of244 CMR 6.00 Massachusetts College of Pharmacy and Health Sciences Worcester Baccalaureate Degree Nursing Program

## DISCUSSION:

Deferred.

## ACTION:

Deferred.

**TOPIC:** Education

244 CMR 6.08 (l)(h) NCLEX Exam

Pass Rate Less Than 80% For First Time Writers

## DISCUSSION:

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

## ACTION:

So noted.

**TOPIC:** Requests for License Reinstatement - None

## DISCUSSION:

None.

**ACTION:**

# None.

**TOPIC:** Strategic Development, Planning and Evaluation Presentation / Report - None

**DISCUSSION:**

# None.

**ACTION:**

# None.

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

**DISCUSSION:**

# None.

**ACTION:**

# So noted.

**TOPIC:**

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

**DISCUSSION:**

# None.

**ACTION:**

# Motion by A. Alley, seconded by L. Keough, and voted by roll call with A. Alley, K.A. Barnes,

* L. Keough, M. McAuliffe, J. Monagle, D. Nikitas, C. Norris, V. Percy, A. Sprague and L. Wu unanimously in favor to convene the G.L. c. 112, s. 65C Session at 9:52 a.m.

**G.L. c. 112, s. 65C Session 10:05 a.m. to 10:34 a.m.**

**TOPIC:**

# Adjudicatmy Session

**DISCUSSION:**

# None.

**ACTION:**

# Motion by A. Alley, seconded by K.A. Barnes, and voted byroll call with A. Alley, K.A. Barnes,

M. McAuliffe, J. Monagle, D. Nikitas, C. Norris, V. Percy, A. Sprague and L. \,Vu unanimously in favor to convene the Adjudicato1y Session at 10:34 a.m. to deliberate on proposed final decisions and orders, and rulings on pending adjudicatmy matters.

### Adjudicatory Session 10:34 a.m. to 10:41 a.m.

Februaiy 8, 2023 Regular Session Board Meeting Minutes

## TOPIC:

G.L. c.30A, §21 Executive Session

## DISCUSSION:

None.

## ACTION:

Motion by A. Alley, seconded by **J.** Monagle, and voted by roll call with A. Alley, K.A. Barnes,

M. McAuliffe, J. Monagle, D. Nikitas, C. Norris, V. Percy, A. Sprague and L. Wu unanimously in favor to convene the Executive Session at 10:42 a.m. as per Purpose One ofG.L. c.30A, §21 (a)(l).

**G.L. c. 30A,** § **21 Executive Session 11:00 a.m. to 1:44 p.m.**

## TOPIC:

Adjournment

## DISCUSSION:

None.

## ACTION:

Motion by A. Alley, seconded by K.A. Barnes, and voted by roll call with A. Alley, K.A. Barnes,

M. McAuliffe, J. Monagle, D. Nikitas, C. Norris, V. Percy, A. Sprague and L. Wu unanimously in favor to adjourn the meeting at 1:45 p.m.

Minutes of the Board's February 8, 2023, Regularly Scheduled Meeting were approved by the Board on October 11, 2023.



Linda Kelly, DNPJi:CNP Chairperson

Board of Registration in Nursing

Agenda with exhibits list attached.

February 8, 2023 Regular Session Board Nleeting Minutes

### Commonwealth of Massachusetts Board of Registration in Nursing

**Notice of the Regularly Scheduled Meeting Regular Session**

250 Washington Street Conference Rooni 3C

Boston, Massachusetts 02108

And Via Zoom

Wednesday, February 8, 2023 9:00 am 11 hour 30 minutes I (UTC-04:00) Eastern Time (US & Canada)

Event address for attendees: https://us06web.zoom.us/j/88267582395

Join by Phone:

+1-602-333-0032 US Toll

+1-888-270-9936 US Toll Free

Access code: 247716

### Wednesday, February 8, 2023

PRELIMINARY AGENDA AS OF 01/30/23 9:25am

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Estimated Time** | **Item**# | **Item** | **Exhibit** | **Presented by** |
| 9:00 a.m. | I. | **CALL TO ORDER** & **DETERMINATION OF QUORUM** | None |  |
|  | II. | **APPROVAL OF AGENDA** | Agenda |  |
|  | Ill. | **APPROVAL OF MINUTES**A Draft Minutes for the December 14, 2022 Meeting of the Board of Registration in Nursing, Regular Session Via ZoomB. Draft Minutes for the January 11, 2023 Meeting of the Board of Registration in Nursing, Regular Session Via Zoom | MinutesMinutes |  |
|  | **IV.** | **REPORTS, ANNOUNCEMENTS AND ADMINISTRATIVE MATTERS**A Announcements | Oral |  |
|  | ***V.*** | **SARP**A SARP Activity Report | Report | MW |

Februa1y 8, 2023 Regular Session Board Meeting Minutes

(to be Approved I0/11/2023) Page 10 of 12

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **VI.** | **PROBATION**1. Probation Staff Action Report - None
2. Termination of Probation / Stayed Probation
	1. Name, Complaint Number, License Types/ Numbers - None
3. Request for Notice of Violation and Further Discipline - None
4. Request for Modification of Consent Agreement
	1. J. Murden, NUR-2020-0028, LN61921
 | NoneNone NoneMemo | KJ |
|  | **VII.** | **PRACTICE**1. Practice Coordinator Staff Report
 | Report | PM |
|  | **VIII.** | **EDUCATION**1. Nursing Education Staff Report
	1. Staff Action Report
	2. Annual Report to the Board
	3. 2023 Site Survey Schedule
2. 244 CMR 6.05 Initial Approval Nursing Education Programs
	1. Wheaton College Baccalaureate Degree Nursing Program
3. 244 CMR 6.05 (3)(b) Annual Reports
	1. Massachusetts General Hospital Institute of Health Professions Direct Entry Nursing Program
4. 244 CMR 6.06 Site Survey of Nursing Education Programs
	1. Greater Lowell Technical School Practical Nursing Program
5. 244 CMR 6.06 (2) Waiver of 244 CMR 6.06 (1)(a)

Regularly Scheduled Site Survey* 1. Springfield Technical Community College Associate Degree Nursing Program
1. 244 CMR 6.08 (1)(a) The Board's Receipt of Information Documenting a Violation of 244 CMR 6.00
	1. Bay State College Associate Degree Nursing Program
	2. Massachusetts College of Pharmacy and Health Sciences Boston Baccalaureate Degree Nursing Program
	3. Massachusetts College of Pharmacy and Health

Sciences Worcester Baccalaureate Degree Nursing Program1. 244 CMR 6.08 (1)(h) NCLEX Exam
	1. Pass Rate Less Than 80% For First Time Writers
 |  |  |
|  | Report | HCR |
|  | Report | HCR/SW |
|  | Report | HCR/SW |
|  | Report | HCR |
|  | Memo | SW |
|  | Compliance | HCR |
|  | Report |  |
|  |  | HCR |
|  | Report |  |
|  | Compliance |  |
|  | Report | HCR |
|  | Compliance | SW |
|  | Report |  |
|  | Compliance | SW |
|  | Report |  |
|  | Report | HCR |
|  | **IX.** | **REQUESTS FOR LICENSE REINSTATEMENT**1. Name, Complaint Number, License Types/ Numbers - None
 | None |  |
|  | **X.** | **STRATEGIC DEVELOPMENT, PLANNING AND EVALUATION**1. Presentation / Report - None
2. Topics For Next Agenda
 | None |  |

**Februmy 8, 2023 Regular Session Board Meeting Minutes**

(to be Approved 10/11/2023) Page II of **12**

|  |  |  |  |
| --- | --- | --- | --- |
|  | **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.1. Approval of prior executive session minutes in accordance with M.G.L. c. 30A, § 22(1) for sessions held during the December 14, 2022 meeting.
2. Approval of prior executive session minutes in accordance with M.G.L. c. 30A, § 22(1) for sessions held during the January **11,** 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.***

February 8, 2023 Regular Session Board Meeting Minutes

(to be Approved 10/Jl/2023) Page **12 of 12**