

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

239 Causeway Street, Room 417A
Boston, MA 02114

**Minutes of the Regularly Scheduled Board Meeting
Wednesday, January 8, 2020**

Board Members Present

B. Levin, RN, Chairperson
L. Keough, CNP, Vice Chairperson (Left at 1:52 p.m.)
A. Alley, RN
K.A. Barnes, JD, RPh
K. Crowley, DNP
J. Kaneb, MBA, Public Member
L. Kelly, CNP
C. LaBelle, RN
D. Nikitas, RN
E. Pusey-Reid, DNP
L. Wu, RN (Arrived at 9:16 a.m.)

Board Members Not Present

D. Drew, MBA, Public Member
G. Gravlin, EdD

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
V. Berg, JD, Chief Board Counsel
L. Hillson, RN, MSN, PhD, Assistant Director for
Policy and Research
H. Cambra, RN, JD, Interim SARP Coordinator
A. Fein, RN, JD, Complaint Resolution Coordinator
M. Gilmore, APRN, MSN, SARP Coordinator
S. Hall, SARP Monitoring Coordinator
A. MacDonald, RN, DNP, Nursing Education
Coordinator
H. Caines Robson, RN, MSN, Nursing Education
Coordinator
M. Campbell, RN, JD, Nursing Investigations Supervisor
K. Jones, Probation Compliance Officer
S. Gaun, Office Support Specialist I
R. Dumas, Office Support Specialist I

Staff Not Present

M. Campbell, RN, JD, Nursing
Investigations Supervisor
L. Ferguson, Paralegal
C. Andfield, Office Support Specialist I
G. Rivera, Office Support Specialist I

TOPIC:

Call to Order & Determination of Quorum

DISCUSSION:

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

ACTION:

At 9:02 a.m., B. Levin, Chairperson, called the January 8, 2020 Regularly Scheduled Board Meeting to order.

TOPIC:

Approval of Agenda

DISCUSSION:

B. Levin stated that the Document Name listed with Agenda Item X.A. Strategic Development, Planning and Evaluation, Advisory Ruling 18-01: Licensure Required to Practice Nursing is not a Memo. It is an Advisory Ruling Document. L. Silva stated one of the Board members is leaving at 2:00 p.m., so it is critical that the Board members communicate to B. Levin very early if he or she needs to recuse himself or herself especially for the people who are coming to the Board Meeting, so that if the Agenda Items need to be shuffled around, that can be done before 2:00 p.m.

ACTION:

Motion by L. Keough, seconded by L. Kelly, and voted unanimously to approve the Agenda as revised.

TOPIC:

Approval of Board Minutes for the December 11, 2019 Meeting of the Regularly Scheduled Board Meeting

DISCUSSION:

None.

ACTION:

Motion by L. Keough, seconded by L. Kelly, and voted unanimously to accept the Minutes of the December 11, 2019 Regularly Scheduled Board Meeting as presented.

TOPIC:

Reports, Announcements and Administrative Matters
A. Announcements

DISCUSSION:

A. L. Silva stated she has been asked to move the Section 65C Session to follow the Regular Session in the Board Meeting Agendas for the Year 2020. L. Silva stated she will be working with Board staff and all of the ancillary support staff who work with the Board to make sure the Board staff is notifying people who come later. L. Silva stated the Board staff continues to strive to not add any Agenda Items at the last minute to the Board members so they have the ability to deliberate fully informed and the Board staff are tracking the items that come to the Board staff after the deadline, so the Board staff will continue to report on that.

A. Fein stated she realized that the November 2020 Board Meeting which would have been scheduled for 11/11/2020 is a State Holiday and so it has been rescheduled to Monday 11/9/2020. L. Silva stated she did send an announcement to the Board members regarding it, so this is a reminder and the Board members should adjust their calendars.

ACTION:

A. So noted.

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

Termination of Probation/Stayed Probation

DISCUSSION:

None.

ACTION:

None.

TOPIC: Probation

Request for Notice of Violation and Further Discipline

DISCUSSION:

None.

ACTION:

None.

TOPIC: Practice Coordinator Staff Report

DISCUSSION:

None.

ACTION:

None.

TOPIC: Education
Nursing Education Staff Report

DISCUSSION:
None.

ACTION:
None.

TOPIC: Education
244 CMR 6.04 (1)(c) & (1)(f) Administrative Changes

DISCUSSION:
None.

ACTION:
None.

TOPIC: Education
244 CMR 6.06 (2) Site Survey Waiver Requests, Simmons University, Baccalaureate Degree Nursing Program

DISCUSSION:
A. MacDonald summarized her previously distributed memorandum and attached exhibits to the Board. A.M. Barron, program administrator, was present. A. MacDonald stated the last Site Survey for the program was conducted in 1977. B. Levin stated her one of her concerns is that the last Site Survey was conducted a long time ago, and with updated times and changes, it would be in everyone's best interest to have a Site Survey conducted in the Year 2020 in lieu of the deficiencies and Systematic Action Plan. L. Silva stated if the Board came make sure the directive to conduct the Site Survey is within the Board's schedule to allow the Board flexibility to fit it in within all of the Site Surveys that are scheduled. B. Levin stated yes. L. Silva stated the Board staff will report back to the Board when the Site Survey will be scheduled.

A.M. Barron stated she would like to have the Waiver of 244 CMR 6.06 (1)(a) Site Survey of Nursing Education Program Report in writing. A.M. Barron recognized that the program's Systematic Action Plan will need to be updated, and the program has plans to do that to reflect the Board's requirements.

ACTION:
Motion by B. Levin, seconded by L. Keough, and voted, with K. Crowley in opposition, and all other members present in favor, 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)3, (3)(b), (4)a, (4)b, (5)(a), (5)(b), (5)(d), (5)(e) and noncompliance with 244 CMR 6.04 (1)(e), (1)(h), (3)(a)1, and (3)(a)2, and (5)(f).

2. Continue Full Approval status at this time.

3. Direct the Program to provide to the Board the following in order to demonstrate correction of the regulatory deficiencies:

Due March 31, 2020:

- a. a revised systematic evaluation plan that includes, but not limited to, clearly stated evaluation criteria, operational definitions, expected levels of achievement specificity (achievable and measurable) across all criterion; a calendar outlining the evaluation schedule; and review of all Board required outcomes and 11 Board required 11 policies [ref 244 CMR 6.04 (1)(e)];
- b. publish current approval status in all official publication [ref: 244 CMR 6.04 (1)(h)];
- c. revised published admission policy require all candidates for admission to provide satisfactory evidence of secondary school graduation, or its equivalent, and compliance with the immunization requirements specified by the Massachusetts Department of Public Health [ref 244 CMR 6.04(3)(a)1];
- d. revised published policies for the 11 Board required policies with specific non-discriminatory criteria and faculty meeting minutes demonstrating the use of data by faculty to develop, implement, and evaluate those policies [ref 244 CMR 6.04 (1)(d) & (3)(a)2]; and
- e. 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)].

Due June 30, 2020:

- a. Meeting minutes demonstrating full implementation of a written plan for the systematic evaluation of all components of the program including, but not limited to, Program outcomes as required at 244 CMR 6.01, the 11 policies required by the Board and that results of the systematic evaluation of Program components are used for Program development, maintenance and revision [ref:244 CMR 6.04(1)(e)];

4. Direct the Program to provide to the Board the following by no later than March 31, 2020 for the effectiveness of the program:

- a. An updated policy for the maintenance and retirement schedule for school, faculty, student and graduate records which specifies what is found in each of those records and is specific to the Program [ref 244 CMR 6.04 (1)(g)];

5. 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)].

6. Direct the Board Education staff to conduct the 244 CMR 6.06(1)(a) Site Survey of Nursing Education Programs.

TOPIC: Education

244 CMR 6.06 (2) Site Survey Waiver Requests, Simmons University, Direct Entry Masters Nursing Program

DISCUSSION:

A. MacDonald summarized her previously distributed memorandum and attached exhibits to the Board. A.M. Barron, program administrator, was present. B. Levin asked for verification of the last Site Survey for the program. A. MacDonald stated the last Site Survey was conducted in 1977. B. Levin recommended that a Site Survey be conducted for this program because there are deficiencies and there is a plan in place for the program to comply with.

A.M. Barron stated the Site Survey which was conducted in 1977 was before the establishment of the Direct Entry Masters Nursing Program.

ACTION:

Motion by B. Levin, seconded by L. Keough, and voted, with K. Crowley in opposition, and all other members present in favor, 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)3, (3)(b), (4)a, (4)b, (5)(a), (5)(b), (5)(d), (5)(e) and noncompliance with 244 CMR 6.04 (1)(e), (1)(h), (3)(a)1, and (3)(a)2, and (5)(f).
2. Continue Full Approval status at this time.
3. Direct the Program to provide to the Board the following in order to demonstrate correction of the regulatory deficiencies:

Due March 31, 2020:

- a. a revised systematic evaluation plan that includes, but not limited to, clearly stated evaluation criteria, operational definitions, expected levels of achievement specificity (achievable and measurable) across all criterion; a calendar outlining the evaluation schedule; and review of all Board required outcomes and 11 Board required 11 policies [ref 244 CMR 6.04 (1)(e)];
- b. publish current approval status in all official publication [ref: 244 CMR 6.04 (1)(h)];
- c. revised published admission policy require all candidates for admission to provide satisfactory evidence of secondary school graduation, or its equivalent, and compliance with the immunization requirements specified by the Massachusetts Department of Public Health [ref 244 CMR 6.04(3)(a)1];
- d. revised published policies for the 11 Board required policies with specific non-discriminatory criteria and faculty meeting minutes demonstrating the use of data by faculty to develop, implement, and evaluate those policies [ref 244 CMR 6.04 (1)(d) & (3)(a)2]; and
- e. 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)].

Due June 30, 2020:

- a. Meeting minutes demonstrating full implementation of a written plan for the systematic evaluation of all components of the program including, but not limited to, Program outcomes as required at 244 CMR 6.01, the 11 policies required by the Board and that results of the systematic evaluation of Program components are used for Program development, maintenance and revision [ref:244 CMR 6.04(1)(e)];
4. Direct the Program to provide to the Board the following by no later than March 31, 2020 for the effectiveness of the program:
 - a. An updated policy for the maintenance and retirement schedule for school, faculty, student and graduate records which specifies what is found in each of those records and is specific to the Program [ref 244 CMR 6.04 (1)(g)];
5. 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)].
6. Direct the Board Education staff to conduct the 244 CMR 6.06(1)(a) Site Survey of Nursing Education Programs.

TOPIC: Education

2019 NCLEX Performance Statistical Reports

1. Explanation of NCLEX Data Reports
2. Total MA Licensure Candidates Regardless of State of Education
3. Total MA Graduates Regardless of State of Licensure
4. NCLEX Performance by BRN-approved programs 244 CMR 6.08 (1)(h) 2019 NCLEX performance evaluation recommendation

DISCUSSION:

- 1., 2., 3. and 4. H. Caines Robson summarized the memorandum and exhibits that she distributed to the Board members at the Board Meeting. L. Silva stated the Massachusetts NCLEX results are above the national average which aligns with the increase in site surveys the Education Staff had conducted during the past three (3) years. L. Silva stated she will share this with the Board members at the Next Board Meeting. The Board Members applauded the Education Staff for the work that it has done.

ACTION:

- 1., 2., 3. and 4. So noted.

TOPIC: Requests for License Reinstatement

DISCUSSION:

None.

ACTION:

None.

TOPIC: Strategic Development, Planning and Evaluation

Massachusetts Coalition for the Prevention of Medical Errors:

- A. November 21, 2019 Coalition Meeting Minutes
- B. December 16, 2019 Coalition Meeting Agenda
- C. December 2019 Coalition Report

DISCUSSION:

A., B. and C. L. Hillson was available for questions.

ACTION:

A., B, and C. So noted.

TOPIC: Strategic Development, Planning and Evaluation

Proposed Revisions to Board’s Standard Consent Agreement for Probation

DISCUSSION:

B. Oldmixon summarized her previously distributed memorandum and attached exhibits to the Board. In response to L. Keough regarding timely response to Board staff, B. Oldmixon stated the Board staff has flexibility regarding the number of days in the timeframe the Licensee is required to submit his or her response. In response to J. Kaneb regarding the supervisor, L. Silva stated the Probation Compliance Officer has to look at the job description. In response to K. Crowley, Several Board members and staff discussed the “supervisory role” that should be inserted in Subsection D on Page 2 and their concerns about adding other titles. B. Oldmixon stated the words “management role” will be added in the language. K. Crowley asked about the language which is in the Footer and not in the Narrative on Page 2. B. Oldmixon and L. Silva explained the purposes of the Footnotes. H. Cambra requested language to be included in New Section F in regards to people who are entering advancement in their nursing education or in graduate programs that require clinical components or preceptorship that there be a requirement in the CONSENT AGREEMENT that they have to disclose their probationary status and have their CONSENT AGREEMENT reviewed by the Nursing Program for any clinical preceptors because in graduate programs they are working under their Nursing Licenses, and Board staff is finding there are people coming to them who are in Nurse Practitioner Programs who have not disclosed their probationary status so the Board staff is trying to be proactive. Several Board members and staff discussed H. Cambra’s request. A. Fein stated her concerns regarding the word “significant” which is listed in New Subsection F on Page 4. B. Oldmixon explained the use of the word “significant”.

ACTION:

Motion by L. Keough, seconded by L. Kelly, and voted unanimously to approve the changes listed in the Proposed Revisions to Board’s Standard Consent Agreement for Probation that has been presented.

TOPIC: Strategic Development, Planning and Evaluation

Proposed Probation Policy 20-<> Nurses on Probation who have Unauthorized Substance Use or Impairment During Probation

DISCUSSION:

B. Oldmixon summarized the previously distributed memorandum and attached exhibits to the Board. B. Oldmixon stated the word “reliable” will replace the word “significant” throughout the policy. A. Fein stated the policy will be revised in accordance with the formatting changes she stated.

ACTION:

Motion by L. Kelly, seconded by K. Crowley, and voted unanimously to accept the changes as described for the Proposed Probation Policy.

TOPIC: Strategic Development, Planning and Evaluation

Draft SARP Policy 19-01: Staff Action Authority to Resolve Selected Substance Abuse Rehabilitation Program (SARP) Matters

DISCUSSION:

H. Cambra summarized her previously distributed memorandum and attached exhibits to the Board and the clean version of the Draft SARP Policy 19-01 that she distributed to the Board members at the Board Meeting. There was no discussion.

ACTION:

Motion by L. Keough, seconded by B. Levin, and voted unanimously to approve the Draft SARP Policy 19-01: Staff Action Authority to Resolve Selected Substance Abuse Rehabilitation Program (SARP) Matters.

TOPIC: Strategic Development, Planning and Evaluation

Advisory Ruling 18-01: Licensure Required to Practice Nursing

DISCUSSION:

L. Hillson summarized the previously distributed memorandum and attached exhibits to the Board. V. Berg was present. K. Crowley stated she wanted to discuss the interpretation of Advisory Ruling 18-01 regarding Out-of-State nurses that might be teaching or doing research for a Massachusetts entity, research or teaching practice that do not set foot in Massachusetts in any way, shape or form or deal with any Massachusetts nurses. K. Crowley stated that Advisory Ruling 18-01 is a little unclear for institutions to be able to clearly identify who should and who should not have licenses and / or at what level they should have a license. K. Crowley stated how can the Board accomplish its objectives if the licensee requirements for In-State schools are different than the licensee requirements for Out-of-State schools. K. Crowley stated because institutions that reside and have an address in Massachusetts were held to a different process than Out-of-State institutions that still teach our future Massachusetts nurses or APRNs. K. Crowley stated the interpretation of the Advisory Ruling 18-01 that it does not state in the Advisory Ruling 18-01 that the entity is in Massachusetts, then all of the faculty and researchers have to be licensed in Massachusetts even if they are not in Massachusetts and never come into Massachusetts. K. Crowley stated she wanted to have a discussion about this to make it clearer for nursing education, online institutions whether they are undergraduate or graduate and there is ambiguity there. K. Crowley stated that any faculty member in another U.S. State who teaches any Massachusetts nursing student should have a Massachusetts Nursing License.

Several Board members and staff discussed the Board does not have the authority to oversee graduate programs in other U.S. States. V. Berg stated the authority part of the problem is how do we define “in Massachusetts” when we are talking about online nursing programs. V. Berg stated that regarding “brick and mortar” nursing programs, it is not about the U.S. State the student is attending school in, it is about

the U.S. State the teacher is teaching in. V. Berg stated if the parent institution is not in Massachusetts, and there is no didactic or clinical in Massachusetts, there is not any cause for it because it is a huge distinction from “brick and mortar” and it will put online instructors at a disadvantage compared to “brick and mortar” students. V. Berg stated there will be an impact on Massachusetts nursing students who want to attend a nursing program in another U.S. State.

K. Crowley stated the Board’s job is to protect the public in Massachusetts and there is a double-standard. K. Crowley stated the teaching for online faculty takes place in other U.S. States, and the teachers are in their own homes teaching. V. Berg stated they are doing that through a web portal run by a parent institution.

L. Silva explained that the Board does regulate schools, and the importance is where the education is generated from. K. Crowley stated statistics regarding the 32 Compact U.S. States, and the Massachusetts Board needs to factor in some of the practices in the Compact U.S. States.

L. Silva asked K. Crowley that, as an example, if a nurse in Arizona is conducting an online course through Boston College in Massachusetts to Massachusetts nursing students, then the nurse in Arizona should have a Massachusetts Nursing License. K. Crowley stated yes. K. Crowley stated her issue is with the Advisory Ruling 18-01 and the Massachusetts Board is letting half of the online programs teach the Massachusetts nursing students and it is not protecting the public.

L. Silva stated the jurisdiction, regulatory and enforcement issues regarding this matter. L. Silva stated K. Crowley has a good point regarding APRNs and that the clarification for the APRN regarding the education of the nurse needs to be in the Advisory Ruling 18-01. L. Silva stated the Board’s options. K. Crowley read Section 2 on Page 2 in the Advisory Ruling 18-01 to the Board members and stated the Board is not doing that. C. MacDonald stated that the Board staff are capturing that now through the Certificate of Graduations. Several Board members and staff discussed the clinicals that are being conducted physically in Massachusetts in which the parent institution or nursing school is not physically in Massachusetts. L. Silva stated the role of Advisory Rulings are to clarify regulations. K. Crowley stated her concerns regarding M.G.L. c. 112, §§ 80 and 80A. L. Silva stated the Board staff will take a look at that.

ACTION:

So noted.

TOPIC: Strategic Development, Planning and Evaluation
Regulatory Review, 244 CMR 6.00

DISCUSSION:

V. Berg summarized her previously distributed memorandum and attached exhibits to the Board and the exhibits that she distributed to the Board members at the Board Meeting. In response to E. Pusey-Reid, V. Berg stated the process that would happen if the Board members approved the DRAFT at the Board Meeting. L. Silva stated Waiver 3 was actually a Board policy and not a regulation and a lot of work was put into it. L. Silva stated the Individuals which are in Waiver 3 will be grandfathered into the regulation. K. Crowley stated about the Waiver process and asked if there should be a limit on the number of Waivers a nursing program should get. L. Silva stated the Waiver should be granted only if there are no deficiencies, and a Site Survey should be scheduled if a nursing program has not had one in many years. A. MacDonald stated there is a New Waiver Guideline which the Board approved in 2018. L. Kelly asked

V. Berg as to why were only three (3) business days which were listed in Approval with Warning Status (2)(a) on Page 9. L. Silva stated the reasons regarding enforcement and execution. C. MacDonald stated the nursing program is required to notify the students. V. Berg stated three (3) business days are for a short turn-around.

ACTION:

Motion by B. Levin, seconded by L. Keough, and voted unanimously to approve the administrative edits to the Draft 244 CMR 6.00.

Motion by K.A. Barnes, seconded by B. Levin, and voted unanimously to publish the approved Draft 244 CMR 6.00 for Hearing and Comment along with the Proposed Revisions to 244 CMR 4.00.

TOPIC: Strategic Development, Planning and Evaluation
Regulatory Review, 244 CMR 10.00

DISCUSSION:

V. Berg stated the Board had the Public Hearing regarding 244 CMR 10.00 on 12/18/2019, only 4 people were in attendance, only Massachusetts Association of Nurse Anesthetists (MANA) President M. Croad testified, and the Board staff has received written comments from M. Croad of MANA, the Massachusetts College of Pharmacy and Health Sciences, and J. Pelletier, Corresponding Secretary of The Committee of Practical Nurse Education Programs (PN Ed Committee) of the Massachusetts Rhode Island League for Nursing (MARILN). V. Berg stated the Board staff will move forward on them.

ACTION:

So noted.

TOPIC: Topics for Next Agenda

DISCUSSION:

C. LaBelle requested the Board to ask the Prosecution Counsel to come before the Board and present their policy on expediting cases to the Office of Prosecution as well as regular cases, and the information that requesting that the Board look at different things that come up that we have all been struggling with, how long does it take Prosecution to issue the NOTICE TO SHOW CAUSE from the date the Prosecutor receives the case, how long it takes for the Prosecution to default on a case if the Licensee does not answer to the NOTICE TO SHOW CAUSE, how long it takes for Prosecution to request a Hearing, as well as a protocol on the issuing of CONTINUANCES, so is the seriousness of the conduct and the threat to the public considered in these issues, and any other areas of relevance for expediting cases. K.A. Barnes requested that if there is a policy, the Board will need to have a copy of it.

ACTION:

So noted.

Break from 11:18 a.m. to 11:54 a.m.

TOPIC:

G.L. c.30A, §21 Executive Session

DISCUSSION:

None.

ACTION:

Motion by B. Levin, seconded by L. Keough, and voted unanimously to convene the Executive Session at 11:54 a.m. as per Purpose One of G.L. c.30A, §21 (a)(1).

G.L. c. 30A, § 21 Executive Session 11:54 a.m. to 12:54 p.m.

Break from 12:54 p.m. to 1:07 p.m.

TOPIC:

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

DISCUSSION:

None.

ACTION:

Motion by B. Levin, seconded by L. Keough, and voted unanimously to convene the G.L. c. 112, s. 65C Session at 1:07 p.m.

G.L. c. 112, s. 65C Session 1:07 p.m. to 2:05 p.m.

TOPIC:

Adjudicatory Session

DISCUSSION:

None.

ACTION:

Motion by B. Levin, seconded by K.A. Barnes, and voted unanimously to convene the Adjudicatory Session at 2:05 p.m. to deliberate on proposed final decisions and orders, and rulings on pending adjudicatory matters.

Adjudicatory Session 2:05 p.m. to 2:16 p.m.

TOPIC:

Adjournment

DISCUSSION:

None.

ACTION:

Motion by B. Levin, seconded by K.A. Barnes, and voted unanimously to adjourn the meeting at 2:16 p.m.

Minutes of the Board's January 8, 2020, Regularly Scheduled Meeting were approved by the Board on February 12, 2020.

Barbara Levin

Barbara Levin, RN

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, January 8, 2020

PRELIMINARY AGENDA AS OF 12/30/19 2:35pm

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 December 11, 2019 Meeting of the Board of Registration in Nursing, Regular Session	Minutes	
	IV.	REPORTS, ANNOUNCEMENTS AND ADMINISTRATIVE MATTERS A. Announcements	Oral/Memo	LS
	V.	SARP A. SARP Activity Report -- NONE	None	
	VI.	PROBATION A. Probation Staff Action Report B. Termination of Probation/Stayed Probation - NONE C. Request for Notice of Violation and Further Discipline – NONE	Report None None	KJ
	VII.	PRACTICE A. Practice Coordinator Staff Report - NONE	None	

COMMONWEALTH OF MASSACHUSETTS
Board of Registration in Nursing

	VIII.	EDUCATION A. Nursing Education Staff Report - NONE B. 244 CMR 6.04(1)(c) & (1)(f) Administrative Changes - NONE C. 244 CMR 6.06(2) Site Survey Waiver Requests 1. Simmons University, Baccalaureate Degree Nursing Program 2. Simmons University, Direct Entry Masters Nursing Program D. 2019 NCLEX Performance Statistical Reports 1. Explanation of NCLEX Data Reports 2. Total MA Licensure Candidates Regardless of State of Education 3. Total MA Graduates Regardless of State of Licensure 4. NCLEX Performance by BRN-approved programs 244 CMR 6.08 (1)(h) 2019 NCLEX performance evaluation recommendation	None None Compliance Report Compliance Report Memo Report Report Memo	 AM AM HCR HCR HCR HCR
	IX.	REQUESTS FOR LICENSE REINSTATEMENT -- NONE	None	
	X.	STRATEGIC DEVELOPMENT, PLANNING AND EVALUATION A. Report/Discussion 1. Advisory Ruling 18-01: Licensure Required to Practice Nursing 2. Regulatory Review a. 244 CMR 6.00 b. 244 CMR 10.00 3. Massachusetts Coalition for the Prevention of Medical Errors: a. November 21, 2019 Coalition Meeting Minutes b. December 16, 2019 Coalition Meeting Agenda c. December 2019 Coalition Report 4. Proposed Revisions to Board's Standard Consent Agreement for Probation 5. Draft SARP Policy 19-01: Staff Action Authority to Resolve Selected Substance Abuse Rehabilitation Program (SARP) Matters 6. Proposed Probation Policy 20-<> Nurses on Probation who Have Unauthorized Substance Use or Impairment During Probation B. Topics for Next Agenda	Memo Memo / Regulations Oral Minutes Agenda Report Proposed Consent Agreement Draft Policy Draft Policy	LH VPB VPB LH BAO HC KJ

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

	XI.	<p>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.</p> <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 December 11, 2019 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 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.