

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

239 Causeway Street, Room 417A
Boston, MA 02114

And Via WebEx

Wednesday, May 12, 2021 9:00 am | 2 hours | (UTC-04:00) Eastern Time (US & Canada)

Event address for attendees:

<https://statema.webex.com/statema/onstage/g.php?MTID=ee1f35cf23c09996a8cbb0a222a16f793>

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**Minutes of the Regularly Scheduled Board Meeting
Wednesday, May 12, 2021**

Board Members Present In Room 417

L. Kelly, DNP, Chairperson

Board Members Not Present

A. Alley, RN

Board Members Present Via Audio Or Video

L. Keough, CNP, Vice Chairperson (Left at 5:40 p.m.)

K.A. Barnes, JD, RPh

K. Crowley, DNP

D. Drew, MBA, Public Member

J. Kaneb, MBA, Public Member

C. LaBelle, RN

D. Nikitas, RN

V. Percy, MSN

E. Pusey-Reid, DNP

L. Wu, RN (Arrived at 9:17 a.m.)

J. Yeh, MD (Left at 5:02 p.m.)

Staff Present In Room 417

L. Silva, RN, DNP, Executive Director

C. MacDonald, RN, DNP, Deputy Executive Director

H. Caines Robson, RN, MSN, Nursing Education
Coordinator

S. Waite, RN, DNP, Nursing Education Coordinator

P. McNamee, RN, MS, Nursing Practice Coordinator

C. DeSpirito, RN, JD, Complaint Resolution Coordinator

L. Ferguson, Paralegal

L. McKenzie, Temporary Paralegal

P. Scott, Licensing Coordinator

S. Gaun, Office Support Specialist I

Staff Not Present

B. Oldmixon, JD, Board Counsel

G. Rivera, MBA, Office Support Specialist I

Staff Present Via Audio Or Video

L. Hillson, RN, MSN, PhD, Assistant Director for
Policy and Research
O. Atueyi, JD, Board Counsel
S. Leadholm, JD, Board Counsel
H. Cambra, RN, JD, Interim SARP Coordinator
M. Campbell, RN, JD, Nursing Investigations Supervisor
S. Hall, SARP Monitoring Coordinator
K. Jones, Probation Compliance Officer
R. Dumas, Office Support Specialist I

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 9:12 a.m., L. Kelly, Chairperson, called the May 12, 2021 Regularly Scheduled Board Meeting to order.

TOPIC:

Approval of REVISED Agenda

DISCUSSION:

None.

ACTION:

Motion by L. Kelly, seconded by L. Keough, and voted by roll call with K.A. Barnes, K. Crowley, D. Drew, J. Kaneb, L. Kelly, L. Keough, C. LaBelle, D. Nikitas, V. Percy, E. Pusey-Reid and J. Yeh unanimously in favor to approve the REVISED Agenda as presented.

TOPIC:

Approval of Board Minutes for the March 17, 2021 Meeting of the Regularly Scheduled Board Meeting

DISCUSSION:

None.

ACTION:

Motion by L. Keough, seconded by K. Crowley, and voted by roll call with D. Drew, L. Kelly, V. Percy and J. Yeh in abstention, and K.A. Barnes, K. Crowley, D. Drew, J. Kaneb, L. Keough, C. LaBelle, D. Nikitas, E. Pusey-Reid and L. Wu all in favor to accept the Minutes of the March 17, 2021 Regularly Scheduled Board Meeting as presented.

TOPIC:

Approval of Board Minutes for the April 14, 2021 Meeting of the Regularly Scheduled Board Meeting

DISCUSSION:

None.

ACTION:

Motion by L. Kelly, seconded by L. Keough, and voted by roll call with V. Percy and J. Yeh in abstention, and K.A. Barnes, K. Crowley, D. Drew, J. Kaneb, L. Kelly, L. Keough, C. LaBelle, D. Nikitas, E. Pusey-Reid, L. Wu all in favor to accept the Minutes of the April 14, 2021 Regularly Scheduled Board Meeting as presented.

TOPIC:

Reports, Announcements and Administrative Matters
Announcements

DISCUSSION:

L. Silva introduced the two (2) New Board Members, J. Yeh, MD, who was appointed to the Physician Seat and V. Percy, MSN, RN, who was appointed to the RN Direct Care (not advanced practice) Seat. V. Percy and J. Yeh introduced themselves.

ACTION:

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

Request for 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:

P. McNamee was available for questions.

ACTION:

So noted.

TOPIC: Education

Nursing Education Staff Report

DISCUSSION:

None.

ACTION:

None.

TOPIC: Education

244 CMR 6.05 (3)(b) Annual Reports, Salem State University Baccalaureate Degree Nursing Program

DISCUSSION:

S. Waite summarized her previously distributed memorandum and attached exhibits to the Board. There was no discussion.

L. Frontiero, Associate Dean of the School of Nursing, was present via video. L. Frontiero stated that S. Waite did a nice job summarizing, the program has been fortunate, the University backs the Nursing Program 100%, the program staff has been asking for resources, not only with faculty but also with staff to do some of the tracking of students to make sure they meet with compliance, they have been fully supportive, and she is happy to report that the Nursing Program has the support of the University President and University Provost.

ACTION:

Motion by L. Kelly, seconded by L. Keough, and voted by roll call with K.A. Barnes, K. Crowley, D. Drew, J. Kaneb, L. Kelly, L. Keough, C. LaBelle, D. Nikitas, E. Pusey-Reid, L. Wu and J. Yeh unanimously in favor to:

1. Accept the Program's 244 CMR 6.07 (3) Program Change report for increase admissions and that the program has provided evidence that there are sufficient resources to support the increase.
2. Find the Program is in compliance with 244 CMR 6.05 (3)(b).
3. Continue Full Approval Status at this time.

TOPIC: Education

244 CMR 6.06 Site Survey Waiver, Regis College Baccalaureate Degree Nursing Program

DISCUSSION:

RECUSAL: K. Crowley recused herself from the matter and left the Board Meeting via Webex during the deliberation and vote at 9:29 a.m. L. Silva and C. MacDonald recused themselves from the matter and left the Conference Room 417 during the deliberation and vote at 9:30 a.m.

H. Caines Robson summarized her previously distributed memorandum and attached exhibits to the Board. L. Kelly asked H. Caines Robson if the Due Date for the program to correct the deficiencies is 8/31/2021 and not 8/31/2020 which was listed in the Report. In response to L. Kelly, H. Caines Robson stated the Due Date is 8/31/2021 and she will make the correction in the Report.

D. Welsh, Dean of Nursing, was present via video. D. Welsh stated there was confusion with what they were doing, H. Caines Robson reviewed the Site Survey Waiver with her, the program staff and the faculty, and she thinks they understand what the problems were and how they can correct them in the Systematic Evaluation Plan.

D. Drew asked H. Caines Robson what date was the Last Site Survey. H. Caines Robson stated that Board staff was unable to find documentation of the Date of the Last Site Survey. D. Drew stated it has been almost a year that the Board staff has been communicating with the Nursing Program. D. Nikitas stated the NCLEX Pass Rate for 2020 has gone down 5% and she is concerned about that. D. Drew stated the course curriculum was not evaluated. E. Pusey-Reid stated the acceptable pass rate is 80% or above.

D. Welsh asked the Board staff if the 2020 NCLEX Pass Rate would have any relation to what happened during the Coronavirus Pandemic.

In response to D. Welsh, H. Caines Robson stated the Board staff has not seen a national trend of a downward slope of the NCLEX Pass Rates during the CoronaVirus Pandemic. H. Caines Robson stated the corrections will be due at the time of the Site Survey.

ACTION:

Motion by D. Drew, seconded by L. Keough, and voted by roll call with V. Percy and J. Yeh in abstention and K.A. Barnes, D. Drew, J. Kaneb, L. Kelly, L. Keough, C. LaBelle, D. Nikitas, E. Pusey-Reid and L. Wu all in favor to:

1. Accept the Staff Compliance Report.

2. Find the Program has provided satisfactory evidence of compliance with the regulations at 244 CMR 6.04 (1)(g) and continued noncompliance with 244 CMR 6.04 (1)(e) and (5)(f).
3. Continue Full Approval status at this time.
4. Deny the Waiver of 244 CMR 6.06 (1)(a) Site Survey of Nursing Education Programs. The Board Education Staff will conduct a Site Survey.
5. Direct the Program to provide to the Board the following in order to demonstrate correction of the regulatory deficiencies:
Due at the Time of the Site Survey:
 - a. a revised systematic evaluation plan that includes, all components of the regulation, all required outcomes and a SEP Calendar [ref 244 CMR 6.04 (1)(e)];
 - b. 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, that and the program is ultimately responsible for the student's education and that evaluation is the responsibility of the Program faculty [ref 244 CMR 6.04 (5)(f)].
6. 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)].

TOPIC: Education

244 CMR 6.07 Notification of Program Changes, Becker College Associate Degree Nursing Program

DISCUSSION:

H. Caines Robson summarized her previously distributed memorandum and attached exhibits to the Board. H. Caines Robson asked J. Litchfield if the 26 students were accepted at Quinsigamond Community College (Quinsigamond CC).

J. Litchfield, Assistant Dean, Department of Nursing, was present via video. J. Litchfield stated the program staff wanted to provide the students the option to graduate from Becker College where they started, the program staff secured the maternity rotation, the medical / surgical rotation, all of the clinical instructors, the didactic laboratory, and everything was set. J. Litchfield stated at the eleventh (11th) hour, three (3) of the clinical instructors backed out, the program staff was unable to secure the psychiatric rotation, the program staff reached out to 18 sites within a two (2) week time period, and because of that, she determined it was not appropriate to offer the students the option to finish at Becker College where they would not have a similar if not equivalent to what is available this semester. J. Litchfield stated the program has a pathway at Quinsigamond CC. J. Litchfield state the program staff is working with three (3) other Associate of Science in Nursing Degree (ASN) Schools, and all of the Memorandums of Understanding, the agreements, and the curriculum maps are with the Massachusetts Department of Higher Education (MDHE) at this time, and when they are approved, they will be posted on the Becker College website. J. Litchfield stated the program staff has been hosting information sessions each week with Quinsigamond CC for all of the ASN students, particularly the 26 students who wanted to graduate in August 2021, and the Quinsigamond CC is developing the Bridge Course that fills the gaps from the curriculum. J. Litchfield stated that regarding the 26 students who are graduating in December 2021, the courses will start at Quinsigamond CC in late July 2021 and they will be able to graduate on time.

J. Litchfield stated many students have not informed the program staff as to where they will be going after May 2021 and the program staff is surveying each student.

In response to J. Litchfield, H. Caines Robson asked if J. Litchfield can confirm that all 26 students have been accepted to Quinsigamond CC. J. Litchfield stated she cannot confirm the 26 students have been accepted at Quinsigamond CC because it is still creating that course, Quinsigamond CC is going to offer that Bridge Course, and once the students complete the one (1) to three (3) credit Bridge Course from July to August 2021, then they will be accepted for the Fall Semester 2021 according to when she spoke with the Nurse Administrator at Quinsigamond CC.

E. Pusey-Reid asked J. Litchfield to confirm if the students have been accepted to Quinsigamond CC. In response to E. Pusey-Reid, J. Litchfield stated that they are not accepted as yet. In response to J. Litchfield, E. Pusey-Reid asked J. Litchfield if students are able to apply to other Programs and when will the students know if they are accepted into programs at other colleges, and on what Date the Becker College Associate Degree Nursing Program will close.

In response to E. Pusey-Reid, J. Litchfield stated the students can go wherever they like, but the program staff is working with the MDHE, and the program staff have three (3) other pathways which have curriculum maps completed, Memorandums of Understanding and agreements completed, they are not approved by the MDHE yet or posted on the website, the three (3) additional pathways do not include Quinsigamond CC, the students will know by August 2021 if they will be accepted into another nursing program, and the Becker College Associate Degree Nursing Program will close on 6/30/2021.

K. Crowley asked J. Litchfield what resources will be available to the students between 6/30/2021 and the date they are notified that they have been accepted into the nursing program at any other institution.

In response to K. Crowley, J. Litchfield stated there will be a Nursing Advisor who has agreed to stay on from 6/30/2021 until 8/31/2021, it is still being determined if she will be staying on past 6/30/2021. J. Litchfield stated that if she does not stay on as the Program Administrator, the change will be completed and sent to the Board prior to her departure.

D. Drew stated that at the last Board Meeting, there were commitments in reference to certain information the program staff will provide to the Board members and the commitments have not been met. Therefore does it make sense for senior administration from Becker College to come to the Board to answer questions. In response to D. Drew, L. Silva asked the Board Members if there are specific questions that the Program Administrator could answer.

K. Crowley stated the decision to close Becker College was a difficult one, the priority is to ensure the students have the resources, educational and clinical opportunities as they would if Becker College was up and running at full speed, there are three (3) Memorandums of Understanding at the MDHE, and the program staff has made good decisions on streamlining the process. D. Drew stated the Board has been told twice that the students have not been accepted at Quinsigamond CC. In response to D. Drew, J. Litchfield stated the students will have to apply at Quinsigamond CC and follow the admission process, the Quinsigamond CC will hold seats for the Becker College students. In response to D. Drew, C. MacDonald stated the students have to meet the admission criteria and be academically prepared to start at the nursing program at the other institution.

D. Drew asked J. Litchfield if either Becker College or the students will pay for the Bridge Course.

In response to D. Drew, J. Litchfield stated who will pay for the Bridge Course is being determined. D. Drew stated that after six (6) weeks J. Litchfield will no longer be at Becker College, and after 6/30/2021, only one (1) individual will be available for all of the students. In response to D. Drew, J. Litchfield stated that all of the program staff will be laid off on 6/30/2021 and several people may be asked to stay on until 8/31/2021. D. Drew stated that she had some concerns.

E. Pusey-Reid stated her concerns, the students cannot be left alone in the process, and the pathway is not clear and not successful.

L. Silva stated the Board members' concerns should be stated in the record. L. Silva stated that regarding 244 CMR 6.00, when the school is withdrawing the approval, the regulations that would apply there states the program administrator shall make all reasonable efforts to assist enrolled students in transferring to a Board approved nursing program and to notify all enrolled students and program applicants that have given the Board notice. L. Silva asked J. Litchfield if she can articulate that she is meeting those components of the regulations. In response to L. Silva, J. Litchfield stated she can confirm that the students were notified, all reasonable efforts have been made by herself for the students, and she will continue to do so until 6/30/2021.

L. Kelly stated the closing of Becker College is a difficult issue and she gave J. Litchfield credit for her attempts to help the students. D. Drew stated that J. Litchfield has done wonderful work but she still has the concerns. L. Silva stated certain students may not be prepared to transfer to another institution, and the program staff will have to work with the students.

ACTION:

Motion by L. Kelly, seconded by K. Crowley, and voted by roll call with V. Percy in abstention, and K.A. Barnes, K. Crowley, D. Drew, J. Kaneb, L. Kelly, L. Keough, C. LaBelle, D. Nikitas, E. Pusey-Reid, L. Wu and J. Yeh all in favor to accept the Program's communication regarding the plan and changes to student status for the Associate Degree Nursing Program and to continue the communication and monitoring of where the students might be.

TOPIC: Education

244 CMR 6.07 Notification of Program Changes, Becker College Baccalaureate Degree Nursing Program

DISCUSSION:

H. Caines summarized her previously distributed memorandum and attached exhibits to the Board. There was no discussion.

J. Litchfield, Dean of the Department of Nursing, was present via video. J. Litchfield stated the program staff has worked with Worcester State University, Anna Maria College, and Assumption College to offer three (3) pathways for the Baccalaureate Degree students, the program staff has held multiple Zoom Information Sessions, many students have chosen the pathway for Worcester State University, the program staff has another pathway created with a Memorandum of Understanding and curriculum map with the MDHE that has not been approved yet, and once it has been approved, it will be posted on the Becker College website, she is sending the surveys each week to the students, and she will provide the survey results to the Board staff every two (2) weeks until 6/30/2021.

ACTION:

May 12, 2021 Regular Session Board Meeting Minutes
(to be Approved 6/9/2021)

Motion by L. Kelly, seconded by K. Crowley, and voted by roll call with V. Percy in abstention, and K.A. Barnes, K. Crowley, D. Drew, J. Kaneb, L. Kelly, L. Keough, C. LaBelle, D. Nikitas, E. Pusey-Reid, L. Wu and J. Yeh all in favor to accept the Program's communication regarding the plan and changes to student status for the Baccalaureate Degree Nursing Program and to continue the communication and monitoring of where the students might be.

TOPIC: Education

244 CMR 6.07 Notification of Program Changes

Quincy College (Quincy Campus) Associate Degree Nursing Program

Quincy College (Quincy Campus) Practical Nursing Program

Quincy College (Plymouth Campus) Associate Degree Nursing Program

Quincy College (Plymouth Campus) Practical Nursing Program

DISCUSSION:

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

D. Gillis, Dean of Nursing and program administrator, was present via video. D. Gillis stated that R. DeCristofaro, President of the College, and S. Yatin, Senior Vice President of Academic Affairs, were present via video.

D. Gillis stated in the Fall 2020, the student enrollment declined 59% at the Plymouth Campus, the program staff is preparing for the visit by the New England College of Higher Education (NECHE), the budgetary implications regarding the decrease in enrollment, the Dean of Nursing is now permanent, there are two (2) part-time Simulation Technicians, the program supports 50% hands-on clinicals for the students, the Assistant Dean of Nursing position has been eliminated at the Plymouth Campus, the student success has continued, there is now a full-time Non-Nursing Dean of the Plymouth Campus, the program is helping with homelessness and food insecurity the students have experienced, the environment is stable from faculty and student standpoints, the program staff is looking at Student Outcomes, 13 of 17 students who have graduated passed the NCLEX Exam on their first attempt, the program staff is exploring pathways with the local high school, and the program staff is looking at the retention and completion rates.

L. Kelly stated the Board members want to understand the changes that are specific to the program administrator, the resources that are available, whether the changes meet the regulatory guidelines for a full-time program administrator, because there is one (1) program administrator for four (4) different programs with four (4) different NCLEX Codes.

In response to L. Kelly, D. Gillis stated that total enrollment is 97 students across all campuses, they remain small because the Program is new and to evaluate the new curriculum towards supporting Program Outcomes, there are 38 students at the Plymouth campus compared to 59 at the Quincy campus, and she would like to emphasize the size of the Program which supports the change that was made.

K. Crowley stated that D. Gillis mentioned there is a program administrator available daily on each Campus and asked her to articulate who, what position that is, and how many days of the week they are there. K. Crowley asked D. Gillis about the number of faculty.

In response to K. Crowley, D. Gillis stated she goes to the Plymouth Campus once a week, the Dean spends two (2) days a week, and the Laboratory Services spends two (2) days a week, so there is full coverage on a weekly basis. In response to K. Crowley, D. Gillis stated the student to faculty ratio is 20 to 1, at the Plymouth Campus, there are two (2) full-time faculty in the RN Program, there are 14 students in the PN Program, one (1) of the two (2) PN Program faculty was moved to the RN Program at the Quincy Campus because there are 28 students. D. Gillis stated that in total, there are two (2) full-time faculty for 28 students, one (1) full-time faculty for the RN Program at the Quincy Campus, and one (1) full-time faculty for 18 students at the Plymouth Campus.

D. Drew asked H. Caines Robson for clarification regarding 244 CMR 6.04 (1)(c). In response to D. Drew, H. Caines Robson explained the regulations and stated there should be one (1) program administrator per program. D. Drew stated according to the regulations, each program should have its own program administrator. In response to D. Drew, C. MacDonald stated the Board staff has become aware of the nursing program issues regarding the program administrators and has brought nursing programs into compliance, and the regulation does not speak to how big or how small the program has to be. L. Silva asked D. Gillis if each of the four (4) programs have their own full-time program administrator. C. MacDonald stated the program administrator's employment title does not matter, but the program administrator has to work in that position full-time. D. Drew clarified the meaning of full time. C. MacDonald further explained that there is no teaching allowed in the role of the full-time administrator.

L. Silva explained how the Board members have evaluated program administrators in the past. L. Silva asked D. Gillis since there are two (2) Campuses, does each Campus have a full-time program administrator. Several Board members and staff discussed the number of program administrators issue and clarification of the regulation. C. MacDonald stated the reasons the four (4) separate programs with four (4) separate NCLEX Codes were approved on the two (2) separate Campuses. L. Silva stated the Board members should decide if there should be two (2) program administrators, one (1) for each Campus. K. Crowley stated other colleges which have one (1) program administrator for four (4) separate programs (Associate Degree, Baccalaureate Degree, Master's Degree, Doctoral Degree) at the institution. C. MacDonald stated the Board has always defined the term "full-time basis" and explained it. C. MacDonald asked D. Gillis if the Assistant Dean of Nursing has any teaching requirements.

After the Second Motion, several Board members and staff discussed the changes in the four (4) programs and the Board's interpretations of the program administrator regulations and how the Board has deliberated in the past. L. Silva stated that when Quincy College had originally applied, it had one (1) program administrator, when it lost its Full Approval Status, it changed to have two (2) separate programs to measure performance and had two (2) program administrators, one (1) at each Campus, and regarding the most recent changes, it now has one (1) program administrator. L. Silva stated there is no clarity to the resources that are allocated for each Campus. C. MacDonald stated the Quincy College's request is to have one (1) program administrator for all four (4) programs.

In response to L. Silva, D. Gillis stated she is the full-time Dean of Nursing and the program administrator for the four (4) separate programs at both Campuses and she has no teaching responsibilities. D. Gillis stated there is a full-time Assistant Dean of Nursing who administers the compliance and clinical experiences for both Campuses.

In response to C. MacDonald, D. Gillis stated the Assistant Dean of Nursing does not have any teaching requirements, does have a Master's Degree, and does not have the required nursing teaching experience.

ACTION:

Motion by D. Drew to find that all four (4) of the programs at Quincy College are not in compliance with regulation 244 CMR 6.04 (1)(c). The Motion was not seconded. The Motion failed.

Motion by K. Crowley, seconded by L. Wu, and voted by roll call with D. Drew, J. Kaneb, L. Kelly, L. Keough and C. LaBelle in opposition, V. Percy and J. Yeh in abstention, and K.A. Barnes, K. Crowley, D. Nikitas, E. Pusey-Reid and L. Wu all in favor to find the Quincy College Associate Degree Nursing Program has demonstrated evidence of nursing qualification for their nurse administrator and is represented on a full-time basis and is able to make the goals and outcomes of the program. The Motion failed.

Motion by L. Kelly, seconded by K.A. Barnes, and voted by roll call with K. Crowley in opposition, V. Percy in abstention, and K.A. Barnes, D. Drew, J. Kaneb, L. Kelly, L. Keough, C. LaBelle, D. Nikitas, E. Pusey-Reid, L. Wu and J. Yeh all in favor to defer the matter to a Later Date.

TOPIC: Education

2021 Q1 NCLEX Reports

Explanation of NCLEX Data Reports

2021 Q1 MA Graduates Regardless of State of Licensure

2021 Q1 MA Licensure Candidates Regardless of State of Education

DISCUSSION:

S. Waite was available for questions.

ACTION:

So noted.

Break from 11:14 a.m. to 11:24 a.m.

TOPIC: Requests for License Reinstatement

M. Teodoldi, NUR-2017-0075, RN256496

DISCUSSION:

S. Leadholm summarized his previously distributed memorandum and attached exhibits to the Board. D. Drew asked the Licensee and G. Kealy if they have any additional information regarding the incident. L. Keough stated to G. Kealy about what the Board has done in the past. L. Keough asked the Board members about the Board's options regarding the PROBATION. L. Kelly stated the Board needs to protect the public. Several Board members discussed their concerns, maintaining consistency, the Licensee's practice breakdown, and the Board's options.

The Licensee was present via video. G. Kealy, the Licensee's Attorney, was present via video. G. Kealy stated the Licensee works in hospice and excels there and the Licensee has fulfilled the requirements. G. Kealy requested the Board not to put the Licensee on PROBATION because it would put the Licensee back into an area of nursing that she had difficulty working in.

ACTION:

Motion by L. Keough, seconded by K.A. Barnes, and voted by roll call with V. Percy in abstention, and K.A. Barnes, K. Crowley, D. Drew, J. Kaneb, L. Kelly, L. Keough, C. LaBelle, D. Nikitas, E. Pusey-Reid, L. Wu and J. Yeh all in favor to reinstate the Licensee's RN License and right to renew her license with the STANDARD CONSENT AGREEMENT FOR PROBATION for no less than one (1) year.

TOPIC: Strategic Development, Planning and Evaluation
Legislative Updates

DISCUSSION:

C. MacDonald stated that L. Hillson was having technical difficulties and that C. MacDonald was available for questions.

ACTION:

So noted.

TOPIC: Strategic Development, Planning and Evaluation
Regulations, 244 CMR 6.00 Approval of Responses to Comments and Post-Comment Revision Changes

DISCUSSION:

V. Berg summarized her previously distributed memorandum and attached exhibits to the Board. E. Pusey-Reid stated there is a nationwide shortage of Nurses. E. Pusey-Reid asked V. Berg about the requirements for appointment to the faculty of a Practical Nursing Program. In response to E. Pusey-Reid, V. Berg stated the requirements. E. Pusey-Reid stated her concerns. In response to E. Pusey-Reid, H. Caines Robson stated there are 76 Board Approved Nursing Education Programs and 24 of them are Practical Nursing Programs. C. MacDonald stated the Board staff heard E. Pusey-Reid's passion, but this is V. Berg's Agenda Item and H. Caines Robson may not have the answers to E. Pusey-Reid's questions. L. Silva stated the matter has been discussed in the past and V. Berg can provide the summary of the data. E. Pusey-Reid stated the Board may have trouble with the regulations regarding having faculty of Practical Nursing Programs have graduate requirements. V. Berg stated the Board's options if the Board either did or did not vote to adopt the Proposed Revisions. V. Berg stated the Board discussed all of the stakeholders' comments at the 3/17/2021 Board Meeting. K.A. Barnes stated she raised the question of eliminating the waiver and several of the reasons for doing so. E. Pusey-Reid stated the reason she brought up her concerns. L. Silva stated the evaluation of the change was based on looking at Massachusetts Nursing Programs, the Outcomes for Master Degree Programs, the NCLEX Pass Rates, the nursing shortage, and the reasons for the matriculating and grandfathering, enhancing the quality of education, and there was a lot of research that went into it.

ACTION:

Motion by D. Drew, seconded by L. Keough, and voted by roll call with E. Pusey-Reid in opposition, V. Percy and J. Yeh in abstention, and K.A. Barnes, K. Crowley, D. Drew, J. Kaneb, L. Kelly, L. Keough, C. LaBelle, D. Nikitas, and L. Wu all in favor to accept the Memorandum as presented, approve the changes which are currently in there, and move the regulation 244 CMR 6.00 through administrative approval.

TOPIC: Strategic Development, Planning and Evaluation

Update on Pending Revisions at 244 CMR 3.00, 5.00, 7.00, 8.00, 9.00 and 10.00 of Program Compliance by Board Staff

DISCUSSION:

V. Berg summarized her previously distributed memorandum and attached exhibits to the Board. V. Berg recommended the Board members adopt the formatting citation edits in green that are from the Massachusetts Secretary of State's Publication Draft, and authorize the Board staff to proceed with promulgation so that they will be filed and will be effective on 6/11/2021. L. Kelly stated great work went into this and she thanked everyone who had a hand in it. There was no discussion.

ACTION:

Motion by D. Drew, seconded by K. Crowley, and voted by roll call with V. Percy and J. Yeh in abstention, and K.A. Barnes, K. Crowley, D. Drew, J. Kaneb, L. Kelly, L. Keough, C. LaBelle, D. Nikitas, E. Pusey-Reid and L. Wu all in favor to accept the legislative changes that are presented in green and move forward with approving all of the regulations and get them made effective and published.

TOPIC: Strategic Development, Planning and Evaluation
Pilot for Complaint Committee

DISCUSSION:

L. Silva summarized her previously distributed memorandum and attached exhibits to the Board. L. Kelly stated the documentation the Board staff will need to provide to the Complaint Committee Members to streamline the process. L. Silva stated she is working with the DPH Office of Public Protection Staff to look at the Pre-Complaint Committee process and the proposal to have two (2) Complaint Committee Meetings each month starting on 7/20/2021. L. Silva stated this does not need the Board's vote because Board members submitted their suggestions. L. Silva and L. Kelly thanked C. DeSpirito and G. Rivera for the great work that they did regarding this Matter.

ACTION:

So noted.

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

DISCUSSION:

C. MacDonald stated the Board members will need to vote for the Board Chairperson and Board Vice Chairperson positions which will start on 7/1/2021, she will send the Nomination Forms and directions to the Board members by e-mail, and each Board member can nominate himself or herself or another Board member.

ACTION:

So noted.

Break from 12:11 p.m. to 12:40 p.m.

TOPIC:

DISCUSSION:

None.

ACTION:

Motion by L. Kelly, seconded by L. Keough, and voted by roll call with K.A. Barnes, K. Crowley, D. Drew, J. Kaneb, L. Kelly, L. Keough, C. LaBelle, D. Nikitas, V. Percy, E. Pusey-Reid, L. Wu and J. Yeh unanimously in favor to convene the G.L. c. 112, s. 65C Session at 12:40 p.m.

G.L. c. 112, s. 65C Session 12:40 p.m. to 2:11 p.m.

Break from 2:11 p.m. to 2:35 p.m.

TOPIC:

G.L. c.30A, §21 Executive Session

DISCUSSION:

None.

ACTION:

Motion by L. Kelly, seconded by K. Crowley, and voted by roll call with K.A. Barnes, K. Crowley, D. Drew, J. Kaneb, L. Kelly, L. Keough, C. LaBelle, D. Nikitas, V. Percy, E. Pusey-Reid, L. Wu and J. Yeh unanimously in favor to convene the Executive Session at 2:35 p.m. as per Purpose One of G.L. c.30A, §21 (a)(1).

G.L. c. 30A, § 21 Executive Session 2:35 p.m. to 5:37 p.m.

TOPIC:

Adjudicatory Session

DISCUSSION:

None.

ACTION:

Motion by L. Kelly, seconded by K.A. Barnes, and voted by roll call with K.A. Barnes, K. Crowley, D. Drew, J. Kaneb, L. Kelly, L. Keough, C. LaBelle, D. Nikitas, V. Percy, E. Pusey-Reid and L. Wu unanimously in favor to convene the Adjudicatory Session at 5:37 p.m. to deliberate on proposed final decisions and orders, and rulings on pending adjudicatory matters.

Adjudicatory Session 5:37 p.m. to 6:00 p.m.

TOPIC:

May 12, 2021 Regular Session Board Meeting Minutes
(to be Approved 6/9/2021)

Adjournment

DISCUSSION:

None.

ACTION:

Motion by L. Kelly, seconded by K. Crowley, and voted by roll call with K.A. Barnes, K. Crowley, D. Drew, J. Kaneb, L. Kelly, C. LaBelle, D. Nikitas, V. Percy, E. Pusey-Reid, and L. Wu unanimously in favor to adjourn the meeting at 6:00 p.m.

Minutes of the Board's May 12, 2021, Regularly Scheduled Meeting were approved by the Board on June 9, 2021.

Linda Kelly, DNP

Linda Kelly, DNP

Chairperson

Board of Registration in Nursing

Agenda with exhibits list attached.

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

REVISED Notice of the Regularly Scheduled Meeting

Regular Session

239 Causeway Street
Room 417
Boston, Massachusetts 02114

And Via WebEx

Wednesday, May 12, 2021 9:00 am | 2 hours | (UTC-04:00) Eastern Time (US & Canada)

Event address for attendees:

<https://statema.webex.com/statema/onstage/g.php?MTID=ee1f35cf23c09996a8cbb0a222a16f793>

Join by Phone:

+1-203-607-0564 US Toll

+1-866-692-3580 US Toll Free

Access code: 185 095 3435

Wednesday, May 12, 2021

PRELIMINARY AGENDA AS OF 5/5/21 1:10pm

Estimated Time	Item #	Item	Exhibit	Presented by
9:00 a.m.	I.	CALL TO ORDER & DETERMINATION OF QUORUM	None	
	II.	APPROVAL OF REVISED AGENDA	Agenda	
	III.	APPROVAL OF MINUTES A. Draft Minutes for the March 17, 2021 Meeting of the <i>Board of Registration in Nursing, Regular Session Via WebEx</i> B. Draft Minutes for the April 14, 2021 Meeting of the <i>Board of Registration in Nursing, Regular Session Via WebEx</i>	Minutes Minutes	
	IV.	REPORTS, ANNOUNCEMENTS AND ADMINISTRATIVE MATTERS A. Announcements	Oral/Memo	LS
	V.	SARP A. SARP Activity Report - NONE	None	

COMMONWEALTH OF MASSACHUSETTS
Board of Registration in Nursing

	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	Memo	PM
	VIII. EDUCATION A. Nursing Education Staff Report - NONE B. 244 CMR 6.05 (3)(b) Annual Reports 1. Salem State University Baccalaureate Degree Nursing Program C. 244 CMR 6.06 Site Survey Waiver 1. Regis College Baccalaureate Degree Nursing Program D. 244 CMR 6.07 Notification of Program Change 1. Becker College Associate Degree Nursing Program 2. Becker College Baccalaureate Degree Nursing Program 3. Quincy College (Quincy Campus) Associate Degree Nursing Program 4. Quincy College (Quincy Campus) Practical Nursing Program 5. Quincy College (Plymouth Campus) Associate Degree Nursing Program 6. Quincy College (Plymouth Campus) Practical Nursing Program E. 2021 Q1 NCLEX Reports 1. Explanation of NCLEX Data Reports a. 2021 Q1 MA Graduates Regardless of State of Licensure b. 2021 Q1 MA Licensure Candidates Regardless of State of Education	None Memo Report Memo Memo Memo Memo Memo Report Report Report	SW HCR HCR HCR HCR HCR HCR SW SW SW
	IX. REQUESTS FOR LICENSE REINSTATEMENT A. Michelle Tedoldi, NUR-2017-0075, RN256496	Memo	SL
	X. STRATEGIC DEVELOPMENT, PLANNING AND EVALUATION A. Legislative Updates B. Regulations 1. 244 CMR 6.00 Approval of Responses to Comments and Post-Comment Revision Changes 2. Update on Pending Revisions at 244 CMR 3.00, 5.00, 7.00, 8.00, 9.00 and 10.00 of Program Compliance by Board Staff 3. Pilot for Complaint Committee D. Topics for Next Agenda	Memo Draft Regulation/ Memo Draft Regulations/ Slide Deck Memo	LH VPB VPB LS/LK/CD

COMMONWEALTH OF MASSACHUSETTS
Board of Registration in Nursing

<>		LUNCH BREAK	
	XI.	M.G.L. c. 112, § 65C SESSION	CLOSED SESSION
	XII.	EXECUTIVE SESSION The Board will meet in Executive Session as authorized pursuant to M.G.L. c.30A, § 21(a)(1) for the purpose of discussing the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual. <ol style="list-style-type: none"> 1. Specifically, the Board will discuss and evaluate the Good Moral Character as required for registration for pending applicants. 2. Specifically, the Board will discuss and evaluate the reputation, character, physical condition or mental health, rather than professional competence, of licensees relevant to their petitions for license status change. 3. Specifically, the Board will discuss and evaluate 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 Abuse Rehabilitation Program. 4. Approval of prior executive session minutes in accordance with M.G.L. c. 30A, § 22(f) for sessions held during the March 17, 2021 meeting. 5. Approval of prior executive session minutes in accordance with M.G.L. c. 30A, § 22(f) for sessions held during the April 14, 2021 meeting. 	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.