

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

239 Causeway Street, Room 417A
Boston, MA 02114

**Minutes of the Regularly Scheduled Board Meeting
Wednesday, November 13, 2019**

Board Members Present

B. Levin, RN, Chairperson
L. Keough, CNP, Vice Chairperson
A. Alley, RN
K. Crowley, DNP
G. Cutillo, LPN
D. Drew, MBA, Public Member
G. Gravlin, EdD
J. Kaneb, MBA, Public Member
L. Kelly, CNP
M. Keohane, RN
C. LaBelle, RN
D. Nikitas, RN
E. Pusey-Reid, DNP
L. Wu, RN

Board Members Not Present

K.A. Barnes, JD, RPh

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
H. Cambra, RN, JD, Interim SARP Coordinator
A. Fein, RN, JD, Complaint Resolution Coordinator
M. Gilmore, APRN, MSN, SARP Coordinator
A. MacDonald, RN, DNP, Nursing Education
Coordinator
H. Caines Robson, RN, MSN, Nursing Education
Coordinator
L. Hillson, RN, MSN, PhD, Assistant Director for
Policy and Research
S. Gaun, Office Support Specialist I
L. Ferguson, Paralegal
G. Rivera, Office Support Specialist I

Staff Not Present

M. Campbell, RN, JD, Nursing
Investigations Supervisor
V. Berg, JD, Chief Board Counsel
S. Hall, SARP Monitoring Coordinator
K. Jones, Probation Compliance Officer
C. Andfield, 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.

B. Levin thanked the members of the military who were present at the Board Meeting for their service and she thanked the Board staff for everything that they do.

B. Levin stated that this will be the last Board Meeting for G. Cutillo. B. Levin stated that G. Cutillo has been a valuable Board member, the Board members appreciated her commitment towards public safety, and she will be missed.

ACTION:

At 9:01 a.m., B. Levin, Chairperson, called the November 13, 2019 Regularly Scheduled Board Meeting to order.

TOPIC:

Approval of Agenda

DISCUSSION:

None.

ACTION:

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

TOPIC:

Approval of Board Minutes for the October 9, 2019 Meeting of the Regularly Scheduled Board Meeting

DISCUSSION:

None.

ACTION:

Motion by L. Keough, seconded by K. Crowley, and voted, with G. Cutillo, L. Kelly, C. LaBelle and B. Levin in abstention, and all other members present in favor, to accept the Minutes of the October 9, 2019 Regularly Scheduled Board Meeting.

TOPIC:

Reports, Announcements and Administrative Matters

A. Announcements

B. Remote Participation by Board Members

DISCUSSION:

A. None.

B. L. Silva summarized her previously distributed memorandum to the Board. L. Silva stated that remote participation is allowed and Board members can vote, but they cannot use it as quorum, and she would strongly discourage using remote participation. L. Silva stated remote participation should be used very carefully and very rarely. There was no discussion.

ACTION:

A. None.

B. So noted.

TOPIC: SARP
Activity Report

DISCUSSION:
None.

ACTION:
None.

TOPIC: Probation
Staff Action Report

DISCUSSION:
None.

ACTION:
None.

TOPIC: Probation
Request for Determination of Compliance and Termination of 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

November 13, 2019 Regular Session Board Meeting Minutes
(to be Approved 12/11/2019)

DISCUSSION:

None.

ACTION:

None.

TOPIC: Education

244 CMR 6.04 (1)(c) & (1)(f) Administrative Changes

1. University of Massachusetts Boston, CEO
2. Diman Regional Vocational Technical High School, CEO
3. Blue Hill Regional Technical School, CEO

DISCUSSION:

1. A. MacDonald summarized her previously distributed memorandum and attached exhibits to the Board regarding administrative changes for University of Massachusetts Boston, CEO. There was no discussion.
2. A. MacDonald summarized her previously distributed memorandum and attached exhibits to the Board regarding administrative changes for Diman Regional Vocational Technical High School, CEO. There was no discussion.
3. A. MacDonald summarized her previously distributed memorandum and attached exhibits to the Board regarding administrative changes for Blue Hill Regional Technical School, CEO. There was no discussion.

ACTION:

Motion by L. Keough, seconded by B. Levin, and voted unanimously to find the notifications of the appointments of the following people are compliant with regulations 244 CMR 6.04 (1)(c) and (1)(f):

1. K. Newman, Ph.D., Interim Chancellor (Chief Executive Officer), University of Massachusetts, Boston,
2. E. Ferreira, Ed.D., Chief Executive Officer, Diman Regional Vocational Technical High School,
3. J. Rossetti, M.Ed., Chief Executive Officer, Blue Hill Regional Technical School.

TOPIC: Education

244 CMR 6.05 Prerequisite Approval Application, Roxbury Community College

DISCUSSION:

A. MacDonald summarized her previously distributed memorandum and attached exhibits to the Board. S. Hankins, Director of Nursing and program administrator, and K. Rogers, Vice President of Academic Affairs and Student Affairs, were present. A. MacDonald stated the education staff received copies of the letters of intent after the staff conducted the site survey.

S. Hankins stated the program has contacted the clinical institutions it currently has agreements with, the program has reached out to other clinical institutions it does not have relationships with, and the program has letters of intent from two (2) hospitals, one (1) rehabilitation center, and one (1) community health center, and the organizational chart provided includes the proposed number of faculty the program would have over the time period stated in the application.

ACTION:

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Motion by B. Levin, seconded by L. Keough, and voted unanimously to:

1. Find that Roxbury Community College has provided satisfactory information describing its potential ability to establish an Associate Degree Nurse education program complying with 244 CMR 6.04: *Standards for Nursing Education Program*,
2. Grant Roxbury Community College Prerequisite Approval Status to establish its proposed Associate Degree Nurse education program, directing that an on-site survey be conducted in Spring 2022 to verify program compliance with 244 CMR 6.0.

TOPIC: Education

244 CMR 6.08 Massachusetts Bay Community College, Associate Degree RN Program Site Survey Compliance Report

DISCUSSION:

H. Caines Robson summarized her previously distributed memorandum and attached exhibits to the Board. A. Nardone, program administrator, and L. Davis, Dean of Health and Science Division, were present. L. Silva stated the Board did not impose the freeze of the admissions.

A. Nardone thanked H. Caines Robson for coming out to the program and conducting the site survey. A. Nardone stated the program had suspended the admissions for the 2019 program, and it was waiting to hear if it could resume admissions for the Year 2020 based on the site survey. A. Nardone confirmed the program volunteered to freeze the admissions, and the program waited until it was compliant and for the site survey to show the program is ready to be reactivated. A. Nardone stated the program will send official notification to the Board that it has lifted the freeze of the admissions.

ACTION:

Motion by L. Keough, seconded by K. Crowley, and voted unanimously to:

1. Accept the staff compliance report finding that the Program has provided satisfactory evidence of compliance with the regulations at 244 CMR 6.04 (1)(b), (1)(d),(1)(g), (2)(b), (2)(c), (3)(a)1, (3)(a)3, and noncompliance with 244 CMR 6.04 (1)(e), (3)(a)2, and (5)(f).
2. Continue full approval at this time.
3. Direct the Program to correct the regulatory deficiencies by the listed due dates:
 - A. Due by February 14, 2020:
 1. A revised systematic evaluation plan that includes, but not limited to, expected levels of achievement (achievable and measurable) across all criterion; a calendar outlining the evaluation schedule; and review of all program components, all Board required outcomes, and 11 Board required policies [ref 244 CMR 6.04 (1)(e)];
 2. Revised published policies with specific non-discriminatory criteria for the admissions and attendance policies and faculty meeting minutes demonstrating the use of data by faculty to develop, implement, and evaluate all 11 Board required policies [ref 244 CMR 6.04 (3)(a)2];
 3. Meeting minutes demonstrating that data from student evaluations is analyzed and used to make program decisions [ref 244 CMR 6.04 (3)(a)3];

4. Revised written agreements with cooperating agencies utilized as clinical learning sites are current and specific in defining parameters of activities and the responsibilities of the program, the student and the cooperating agency including faculty evaluation of student achievement of nursing competencies and patient safety [ref 244 CMR 6.04(5)(f)].

B. Due by May 15, 2020:

- a. A fully implemented, data-driven, faculty-operated systematic evaluation plan with evidence that trended and aggregate outcomes were used to develop, maintain and revise the program [ref 244 CMR 6.04 (1)(e)].

C. Direct the Program to provide the following, also due no later than February 14, 2020 to enhance program effectiveness:

- a. A process for accessing and confirming all DPH immunization requirements. [ref 244 CMR 6.04 (3)(a)(1)];
- b. Documentation of faculty development in the area of nursing education. [ref 244 CMR 6.04 (2)(b)].

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: Requests for License Reinstatement

DISCUSSION:

None.

ACTION:

None.

TOPIC: Strategic Development, Planning and Evaluation

A. Presentation/Report:

1. Massachusetts Coalition for the Prevention of Medical Errors
2. Complaint Committee Results, March 2016 - September 2019

B. SARP Policy 18-03: SARP Eligibility Criteria for Initial Admission

C. Topics for Next Agenda

DISCUSSION:

A. 1. None.

2. L. Silva stated the matter will be deferred because V. Berg is not present at the Board Meeting.

B. H. Cambra summarized the memorandum and attached exhibits that she distributed to the Board members at the meeting. H. Cambra recommended to change the Title of the Policy to "SARP Eligibility Criteria for Admission". H. Cambra stated this Policy is the revised version, the word "initial" in the footer will be deleted from the final draft, and she will add in the date the policy was further revised in the "Date Adopted/Reviewed" row. After the Motion, a male digital video camera operator with a local television station came into the room. L. Silva asked him if he is requesting permission to record. The male digital video camera operator stated he had permission to record at 9:30 a.m. L. Silva stated he needed permission from B. Levin. B. Levin granted him permission. L. Silva stated the male digital video camera operator can set up.

C. L. Keough asked B. Levin about when L. Nelson will present the next legislative update. L. Silva

stated it will be presented at the December 11, 2019 Board Meeting. C. LaBelle requested to have a review on program language in addressing substance use disorder, and it would be important to do so given the way that things have been changing.

ACTION:

- A. 1. None.
- 2. Deferred.
- B. Motion by B. Levin, seconded by L. Keough, and voted unanimously to approve the updated SARP Policy 18-03: SARP Eligibility Criteria for Admission with the changes as discussed. The male digital video camera operator did not conduct any recording. The male digital video camera operator left the room because he could not record during the closed sessions.
- C. So noted.

Break from 9:33 a.m. to 9:43 a.m.

TOPIC:

Adjudicatory Session

DISCUSSION:

None.

ACTION:

Motion by B. Levin, seconded by L. Keough, and voted unanimously to convene the Adjudicatory Session at 9:43 a.m. to deliberate on proposed final decisions and orders, and rulings on pending adjudicatory matters.

Adjudicatory Session 9:43 a.m. to 9:48 a.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 9:48 a.m.

G.L. c. 112, s. 65C Session 9:48 a.m. to 1:00 p.m.

TOPIC:

G.L. c.30A, §21 Executive Session

DISCUSSION:

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None.

ACTION:

Motion by B. Levin, seconded by L. Keough, and voted unanimously to convene the Executive Session at 1:00 p.m. as per Purpose One of G.L. c.30A, §21 (a)(1).

G.L. c. 30A, § 21 Executive Session 1:00 p.m. to 3:06 p.m.

TOPIC:

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

DISCUSSION:

None.

ACTION:

Motion by B. Levin, seconded by L. Keough, and voted unanimously to reconvene the G.L. c. 112, s. 65C Session at 3:06 p.m.

G.L. c. 112, s. 65C Session 3:06 p.m. to 3:30 p.m.

TOPIC:

Adjournment

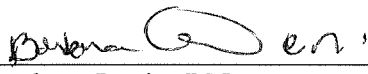
DISCUSSION:

None.

ACTION:

Motion by G. Cutillo, seconded by B. Levin, and voted unanimously to adjourn the meeting at 3:30 p.m.

Minutes of the Board's November 13, 2019, Regularly Scheduled Meeting were approved by the Board on December 11, 2019.



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, November 13, 2019

PRELIMINARY AGENDA AS OF 10/31/19 11:30am

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 October 9, 2019 Meeting of the Board of Registration in Nursing, Regular Session	Minutes	
	IV.	REPORTS, ANNOUNCEMENTS AND ADMINISTRATIVE MATTERS A. Announcements B. Remote Participation by Board Members	Oral/Memo Oral/Memo	LS LS
	V.	SARP A. SARP Activity Report - NONE	None	
	VI.	PROBATION A. Probation Staff Action Report - NONE B. Request for Determination of Compliance and Termination of Probation - NONE C. Request for Notice of Violation and Further Discipline - NONE	None None None	
	VII.	PRACTIC A. Practice Coordinator Staff Report - NONE	None	

COMMONWEALTH OF MASSACHUSETTS
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	VIII.	EDUCATION A. Nursing Education Staff Report - NONE B. 244 CMR 6.04(1)(c) & (1)(f) Administrative Changes 1. University of Massachusetts Boston, CEO 2. Diman Regional Vocation Technical High School, CEO 3. Blue Hill Regional Technical School, CEO C. 244 CMR 6.05 Prerequisite Approval Application, Roxbury Community College D. 244 CMR 6.08 Massachusetts Bay Community College, Associate Degree RN Program Site Survey Compliance Report	None Memos Compliance Report Compliance Report	AM AM HCR
	IX.	REQUESTS FOR LICENSE REINSTATEMENT - NONE	None	
	X.	STRATEGIC DEVELOPMENT, PLANNING AND EVALUATION A. Presentation/Report 1. Massachusetts Coalition for the Prevention of Medical Errors – NONE 2. Complaint Committee Results, March 2016 – September 2019 B. SARP Policy 18-03: <i>SARP Eligibility Criteria for Initial Admission</i> C. Topics for Next Agenda	None Memo Policy	VB HC

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

	XI.	<p>EXECUTIVE SESSION</p> <p>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 a request by a licensee for a waiver of licensure renewal requirements due to ongoing medical issues. 4. Specifically, the Board will discuss and evaluate pending disciplinary complaints that involve patient records and treatment of patients. 5. Approval of prior executive session minutes in accordance with M.G.L. c. 30A, § 22(f) for sessions held during the October 9, 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.