

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF REGISTRATION IN NURSING**
239 Causeway Street, Room 417A
Boston, MA 02114

FINAL Minutes of the Regularly Scheduled Board Meeting
Wednesday, October 10, 2018

Board Members Present

B. Levin RN, Chairperson
L. Keough, CNP, Vice Chairperson
A. Alley, RN
K. Barnes, JD, RPh
D. Drew, Public Member
G. Dufault, LPN
J. Fantes, MD
L. Kelly, CNP
C. LaBelle, RN
E. Pusey-Reid, DNP

Board Members Not Present

N. Murphy, LPN

Staff Present

L. Silva, RN, DNP, Executive Director
O. Atueyi, JD, Board Counsel
B. Oldmixon, JD, Board Counsel
H. Cambra, RN, JD, Complaint Resolution Coordinator
A. Fein, RN, JD, Complaint Resolution Coordinator
A. MacDonald, RN, DNP Nursing Education
Coordinator
F. Medaglia, RN, PhD, Assistant Director for Policy and
Research
L. Talarico, RN/CNP, Nursing Practice Coordinator
S. Gaun, Office Support Specialist I
K. Jones, Probation Compliance Officer
L. Ferguson, Paralegal
M. Campbell, RN, JD, Nurse Investigation Supervisor
S. Hall, SARP Administrative Assistant
L. Harrison, Senior Assistant for Nursing Education

Staff Not Present

C. MacDonald, RN, DNP, Deputy
Executive Director
M. Gilmore, RN, SARP Coordinator

TOPIC:

Call to Order & Determination of Quorum

DISCUSSION:

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

B. Levin thanked the Board of Registration in Nursing staff for their commitment to preparing for the Board Meetings.

B. Levin stated there will be an additional Board Meeting in either November or December because there are additional cases. A. Fein stated that a sign-up sheet is being passed around for Board members to identify which of three dates each is available to schedule this additional Board meeting. L. Silva stated the Board members will need to determine by the end of today's meeting what date the additional Board meeting can be scheduled.

ACTION:

At 9:06 a.m., B. Levin, Chairperson, called the October 10, 2018 Regularly Scheduled Board Meeting to order.

TOPIC:

Approval of Agenda

DISCUSSION:

A. Fein stated the following Regular session agenda items would be deferred:

- (1) Item IV.B.1. Reports, Announcements and Administrative Matters: Addition of 2019 alternate Board meeting dates
- (2) Item IV.B.2. Reports, Announcements and Administrative Matters: 2019 CC meeting date schedule
- (3) Item IX.2. Request for License Reinstatement, Request for Reinstatement: In the matter of Nancy Pitt; LN49394; Docket No. 20080908-LN-020
- (4) Item X.B.1. Strategic Development, Planning and Evaluation: Presentation/Report, Follow-up on non-discrimination policy
- (5) Item X.B.2. Strategic Development, Planning and Evaluation: Presentation/Report, Review of Decision Making Guidelines for Offering/Ordering Probation and Reprimand, adopted 1/10/2007
- (6) Item X.B.3. Strategic Development, Planning and Evaluation: Presentation/Report, Massachusetts Coalition for the Prevention of Medical Errors, 7/26/2018 Coalition Meeting Minutes and September 2018 Coalition Report
- (7) Item X.C.2. Strategic Development, Planning and Evaluation: SARP Policies: 18-02: *Re-Admission for SARP Participation Post Surrender and Discipline Based on SARP Program Non-Compliance*

ACTION:

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

TOPIC:

Approval of Board Minutes for the September 12, 2018 Meeting of the Regularly Scheduled Board Meeting

DISCUSSION:

None.

ACTION:

FINAL October 10, 2018 Regular Session Board Meeting Minutes
(to be Approved 11/14/2018)

Motion by L. Keough, seconded by D. Drew, and voted unanimously to accept the Minutes of the September 12, 2018 Regularly Scheduled Board Meeting as presented.

TOPIC:

Reports, Announcements and Administrative Matters

- A. Executive Director's Report
- B. Announcements/Administrative Matters
 - 1. Addition of 2019 alternate Board meeting dates
 - 2. 2019 CC meeting date schedule

DISCUSSION:

- A. Executive Director's Report: L. Silva stated the sign-up sheet for the proposed additional board meeting is being distributed to the Board members.
- B. 1. Deferred.
- B. 2. Deferred.

ACTION:

- A. So noted.
 - B. 1. None.
 - B. 2. None.
-

TOPIC: SARP

Activity Report

DISCUSSION:

None.

ACTION:

None.

TOPIC: Probation

Staff Action Report

DISCUSSION:

K. Jones was available for questions.

ACTION:

So noted.

TOPIC: Practice

Practice Coordinator Staff Report

DISCUSSION:

L. Talarico was available for questions.

ACTION:

So noted.

TOPIC: Education

Nursing Education Staff Report

DISCUSSION:

None.

ACTION:

None.

TOPIC: Education

244 CMR 6.04(1)(c) & (1)(f) Administrative Changes CEO, Laboure College

DISCUSSION:

A. MacDonald summarized her previously distributed memorandum and attached exhibits to the Board.

ACTION:

Motion by L. Keough, seconded by D. Drew, and voted unanimously to find compliance with regulation 244 CMR 6.04(1)(c) and (1)(f) in the notification of the appointment of Dr. Townsley, President (Chief Executive Officer), Laboure College, Boston.

TOPIC: Education

244 CMR 6.05(1)(c), Emmanuel College Prerequisite Approval Application

DISCUSSION:

A. MacDonald summarized her previously distributed memorandum and attached exhibits to the Board. D. Shea, Executive Director of the Baccalaureate Nurse education program, was present. D. Shea stated the college is excited about starting the program. In response to D. Drew regarding full-time faculty, D. Shea stated the full-time faculty for the program is additional. B. Levin complimented D. Shea for the work that she has done.

ACTION:

Motion by B. Levin, seconded by K.A. Barnes, and voted unanimously to:

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

2018 Q3 NCLEX Statistics

1. Explanation of NCLEX Performance Statistical Reports
2. 2018 Q3 MA Graduates Regardless of State of Licensure
3. 2018 Q3 MA Licensure Candidates Regardless of State of Education

DISCUSSION:

1. A. MacDonald was available for questions.
2. A. MacDonald was available for questions.
3. A. MacDonald was available for questions.

ACTION:

1. So noted.
2. So noted.
3. So noted.

TOPIC: Requests for License Reinstatement
Report for Staff Action Denials

DISCUSSION:

None.

ACTION:

None.

TOPIC: Requests for License Reinstatement
Request for Reinstatement, In the matter of Nancy Pitt, LN49394, Docket No. 20080908-LN-020

DISCUSSION:

Deferred.

ACTION:

None.

TOPIC: Strategic Development, Planning and Evaluation
Systematic Policy Evaluation

DISCUSSION:

None.

ACTION:

None.

TOPIC: Strategic Development, Planning and Evaluation
Presentation/Report, Follow-up on non-discrimination policy

DISCUSSION:

Deferred.

ACTION:

None.

TOPIC: Strategic Development, Planning and Evaluation

Presentation/Report, Review of Decision Making Guidelines for Offering/Ordering Probation and Reprimand, adopted 1/10/2007

DISCUSSION:

Deferred.

ACTION:

None.

TOPIC: Strategic Development, Planning and Evaluation

Presentation/Report, Massachusetts Coalition for the Prevention of Medical Errors, 7/26/2018 Coalition Meeting Minutes and September 2018 Coalition Report

DISCUSSION:

Deferred.

ACTION:

None.

TOPIC: Strategic Development, Planning and Evaluation

SARP Policies: 06-001: *Management of SARP Participant's Relapse from Substance Use Disorder Recovery*

DISCUSSION:

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

ACTION:

Motion by B. Levin, seconded by L. Kelly, and voted unanimously to approve SARP Policy 06-001: *Management of SARP Participant's Relapse from Substance Use Disorder Recovery* as revised.

TOPIC: Strategic Development, Planning and Evaluation

SARP Policies: 18-02: *Re-Admission for SARP Participation Post Surrender and Discipline Based on SARP Program Non-Compliance*

DISCUSSION:

Deferred.

ACTION:

None.

TOPIC: Strategic Development, Planning and Evaluation

Attachment B3: *Minimum Requirements for Substance Abuse Evaluations to be Submitted to the Board*

DISCUSSION:

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

ACTION:

Motion by L. Keough, seconded by A. Alley, and voted unanimously to approve the Attachment B3: *Minimum Requirements for Substance Abuse Evaluations to be Submitted to the Board* as presented with the further revision to the last bullet on page one (1) to state: "Licensed Physician, Licensed Physician Assistant, Licensed Medical Nurse Practitioner, or Licensed Psychiatric Mental Health Nurse Practitioner (CNP) with experience, as evidenced by submission of a current curriculum vitae (section j below), in the performance of evaluations of substance use disorders and corresponding clinical findings."

TOPIC: Strategic Development, Planning and Evaluation

Proposed Revision to Discipline Policy 15-02: *Delegation of Authority to Authorize the Issuance of an Order of Summary Suspension*

DISCUSSION:

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

ACTION:

Motion by B. Levin, seconded by L. Keough, and voted unanimously to approve the proposed revisions to Discipline Policy 15-02: *Delegation of Authority to Authorize the Issuance of an Order of Summary Suspension*.

TOPIC:

G.L. c.30A, §21 Executive Session

DISCUSSION:

None.

ACTION:

Motion by L. Keough, seconded by D. Drew, and voted unanimously to convene the Executive Session at 9:23 a.m. as per Purpose One of G.L. c.30A, §21 (a)(1).

G.L. c. 30A, § 21 Executive Session 9:23 a.m. to 9:25 a.m.

TOPIC:

Adjudicatory Session

DISCUSSION:

None.

ACTION:

Motion by L. Keough, seconded by D. Drew, and voted unanimously to convene the Adjudicatory Session at 9:25 a.m. to deliberate on proposed final decisions and orders, and rulings on pending adjudicatory matters.

Adjudicatory Session 9:25 a.m. to 9:30 a.m.

TOPIC:

FINAL October 10, 2018 Regular Session Board Meeting Minutes
(to be Approved 11/14/2018)

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

DISCUSSION:

None.

ACTION:

Motion by L. Keough, seconded by D. Drew, and voted unanimously to convene the G.L. c. 112, s. 65C Session at 9:30 a.m.

G.L. c. 112, s. 65C Session 9:30 a.m. to 9:46 a.m.

TOPIC:

Reconvene the G.L. c.30A, §21 Executive Session

DISCUSSION:

None.

ACTION:

Motion by L. Keough, seconded by D. Drew, and voted unanimously to reconvene the Executive Session at 9:46 a.m. as per Purpose One of G.L. c.30A, §21 (a)(1).

G.L. c. 30A, § 21 Executive Session 9:46 a.m. to 9:56 a.m.

TOPIC:

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

DISCUSSION:

None.

ACTION:

Motion by L. Keough, seconded by K.A. Barnes, and voted unanimously to reconvene the G.L. c. 112, s. 65C Session at 9:57 a.m.

G.L. c. 112, s. 65C Session 9:57 a.m. to 10:12 a.m.

TOPIC:

Reconvene the G.L. c.30A, §21 Executive Session

DISCUSSION:

None.

ACTION:

Motion by B. Levin, seconded by A. Alley, and voted unanimously to reconvene the Executive Session at 10:13 a.m. as per Purpose One of G.L. c.30A, §21 (a)(1).

G.L. c. 30A, § 21 Executive Session 10:13 a.m. to 12:04 p.m.

TOPIC:

Reconvene the Regularly Scheduled Meeting

DISCUSSION:

None.

ACTION:

Motion by B. Levin, seconded by K.A. Barnes, and voted unanimously to reconvene the Regularly Scheduled Meeting at 12:04 p.m.

TOPIC:

Reports, Announcements and Administrative Matters
Addition of a Board meeting in 2018

DISCUSSION:

L. Silva stated the alternate Board meeting date is December 19, 2018. A. Fein stated that date is the same as the Complaint Committee Meeting, so the CC meeting will have to be either re-scheduled or deferred.

ACTION:

So noted.

TOPIC:

Adjournment


DISCUSSION:

None.

ACTION:

Motion by B. Levin, seconded by D. Drew, and voted unanimously to adjourn the meeting at 12:07 p.m.

Minutes of the Board's October 10, 2018, Regularly Scheduled Meeting were approved by the Board on November 14, 2018.



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, October 10, 2018

PRELIMINARY AGENDA AS OF 10/2/18 9:15am

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 September 12, 2018 Meeting of the <i>Board of Registration in Nursing, Regular Session</i>	Minutes	
	IV.	REPORTS, ANNOUNCEMENTS AND ADMINISTRATIVE MATTERS A. Executive Director's Report B. Announcements/Administrative Matters 1. Addition of 2019 alternate Board meeting dates 2. 2019 CC meeting date schedule	Oral Memo Sign-up log	LS LS/ASF ASF
	V.	SARP A. SARP Activity Report - NONE	None	
	VI.	PROBATION A. Probation Staff Action Report	Report	KJ
	VII.	PRACTICE A. Practice Coordinator Staff Report	Memo	LT

COMMONWEALTH OF MASSACHUSETTS
Board of Registration in Nursing

VIII.	<p>EDUCATION</p> <ul style="list-style-type: none"> A. Nursing Education Staff Report- NONE B. 244 CMR 6.04(1)(c) & (1)(f) Administrative Changes <ul style="list-style-type: none"> 1. CEO, Laboure College C. 244 CMR 6.05(1)(c) <ul style="list-style-type: none"> 1. Emmanuel College Prerequisite Approval Application D. 2018 Q3 NCLEX Statistics <ul style="list-style-type: none"> 1. Explanation of NCLEX Performance Statistical Reports 2. 2018 Q3 MA Graduates Regardless of State of Licensure 3. 2018 Q3 MA Licensure Candidates Regardless of State of Education 	<p style="text-align: center;">None Memo</p> <p>Compliance Report</p> <p>Compliance Report</p>	<p style="text-align: center;">AM</p> <p style="text-align: center;">AM</p> <p style="text-align: center;">AM</p>
IX.	<p>REQUESTS FOR LICENSE REINSTATEMENT</p> <ul style="list-style-type: none"> 1. Report for Staff Action Denials- NONE 2. Request for Reinstatement; In the matter of Nancy Pitt; LN49394; Docket No. 20080908-LN-020 	<p style="text-align: center;">None Memo</p>	<p style="text-align: center;">LF</p>
X.	<p>STRATEGIC DEVELOPMENT, PLANNING AND EVALUATION</p> <ul style="list-style-type: none"> A. Systematic Policy Evaluation- NONE B. Presentation/Report <ul style="list-style-type: none"> 1. Follow-up on non-discrimination policy 2. Review of Decision Making Guidelines for Offering/Ordering Probation and Reprimand, adopted 1/10/2007 3. Massachusetts Coalition for the Prevention of Medical Errors: <ul style="list-style-type: none"> a. 7/26/2018 Coalition Meeting Minutes b. September 2018 Coalition Report C. SARP Polices: <ul style="list-style-type: none"> 1. 06-001: <i>Management of SARP Participant's Relapse from Substance Use Disorder Recovery</i> 2. 18-02: <i>Re-Admission for SARP Participation Post Surrender and Discipline Based on SARP Program Non-Compliance</i> D. SARP Attachment B3: <i>Minimum Requirements for Substance Abuse Evaluations to be Submitted to the Board</i> E. Proposed Revision to Discipline Policy 15-02: <i>Delegation of Authority to Authorize the Issuance of an Order of Summary Suspension</i> F. Topics for Next Agenda 	<p style="text-align: center;">None</p> <p style="text-align: center;">Oral Guidelines with proposed revisions</p> <p style="text-align: center;">Minutes Report</p> <p style="text-align: center;">Policy</p> <p style="text-align: center;">Policy</p> <p style="text-align: center;">Attachment</p> <p style="text-align: center;">Policy</p>	<p style="text-align: center;">LS LS/ASF</p> <p style="text-align: center;">ASF/FM</p> <p style="text-align: center;">SH/LS</p> <p style="text-align: center;">SH/LS</p> <p style="text-align: center;">SH/LS</p> <p style="text-align: center;">SH/LS</p>

**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 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 September 12, 2018 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 Beth Rabasco, Phone: 617-624-5291 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.