

WEST VIRGINIA STATE BOARD OF EXAMINERS
FOR LICENSED PRACTICAL NURSES

MINUTES

BOARD MEETING
FEBRUARY 19, 2009

9:30 a.m. *DISCIPLINARY REVIEW COMMITTEE MEETING*
(Committee Members Only)

10:00 a.m. *REGULAR MEETING (Open to the Public)*

1
CALL TO ORDER: Meeting was called to order by Vice President, Duane Napier at 10:15 am.

2
INTRO OF MEMBERS, GUESTS AND STAFF *Members, guests and staff introduced themselves. Duane Napier, Vice President, noted that a quorum of members was not established. The Board's Procedural Rules, 10 C.S.R. 5, permit the board to conduct a mail vote providing the issue to be voted on has been presented in a regular meeting of the Board. It was determined that a mail vote of all members would therefore be conducted on all items requiring a decision of the Board.*

Members Present -

*Duane Napier
Gregory B. Chiartas
Joan Smith
Vickie Bennett*

Members Absent -

*Suzannah Higgins
Mark Stephens
Catherine Vance
Jean Yates*

Staff Present -

*Lanette Anderson
Michelle Winters
Elsie Patterson*

Guests Present:

<i>Deb Harrison</i>	<i>Christina Bryant</i>
<i>Rita Harber</i>	<i>Barbara Ceslounik</i>
<i>Lynaia Moore</i>	<i>Mary Hill</i>

*Amy Silinca
Susan Nickols
Bonnie Myers
Jessica Comer
Sandra Drennen
Juanita E. Howell
Carolyn Yarber
Jennifer Nickels
Ashleigh Bragg
Greg Hawkins
Anthony Taylor
Rachael Tanner
Regina Rake
Crystal Keen
Tracy Smith
Sydelle Curtis
Eric Kirkcand
Melissa Perry
Lyn Overking
Malissa Long
Amiee Brown*

*Eva Rhodes
Rebecca Jones
Melissa Hassler
Michelle Fisher
Megan McKown
Tiffany Kelly
Michelle Ellis
Cheyenne Taylor
Emily Keffer
L. Proudfoot
Erin Ash
Stephanie Burge
Robin Lawson
Lori Schult
Natasha Houchin
Patrick Kelly
Susan Browning
Monica Iaquina
Pam Nassear
Andrea Ellison*

3

*PROPOSED
AGENDA*

A motion was made by Vickie Bennett that the proposed agenda be approved as presented. Motion was seconded by Joan Smith. Motion carried by mail vote March 3, 2009.

4

*MINUTES OF
PREVIOUS
MEETING*

A motion was made by Gregory Chiartas that the minutes from the October 16, 2008 Board Meeting be approved as presented and circulated. Motion was seconded by Vickie Bennett. Motion carried by mail vote March 3, 2009.

5

*DISCIPLINARY
REVIEW COMMITTEE*

Disciplinary Cases resolved since October 2008 Board Meeting:

Consent Agreements:

*1. Telena Bennett, License No. 25901; BPN08-37
Probation 3 yrs. per drug conviction
November 7, 2008*

*2. Roger Yates, License No. 27127; BPN09-31
Probation 2 yrs. per misappropriation and use of narcotics
November 8, 2008*

3. *Margaret L. Gunnoe, License No. 19997; BPN07-147
Probation for one year per prior conviction
November 18, 2008*
 4. *Jeanette Newsome, License No. 26879; BPN08-140
Reprimand per prior misdemeanor conviction
November 21, 2008*
 5. *Leanna Walker, License No. 24565; BPN09-19
Probation 1 yr. per called in prescription for self without MD order
November 24, 2008*
 6. *Shelley Kennedy, License No. 25423; BPN09-24
Probation 1 yr. per documentation errors with regards to meds
December 11, 2008*
 7. *Rebeka A. Copley, License No. 29175; BPN09-26
6 month suspension followed by Probation 2 yr. per drug diversion
December 15, 2008*
 8. *Randall A. Johnson, License No. 29178; BPN09-27
6 month suspension followed by Probation 2 yr. per drug diversion
December 15, 2008*
 9. *Ashley E. Sharrow, License No. 28837; BPN09-04
Probation 1 yr. per positive drug screen
January 14, 2009*
 10. *Jay H. Bagwell, License No. 26083; BPN09-42
\$140 Monetary penalty per audit failure
January 21, 2009*
 11. *Susan R. Adkins, License No. 23237; BPN09-52
\$700 Monetary penalty per working on a lapsed license
January 21, 2009*
 12. *Crystall Cunningham, License No. 22784; BPN09-35
Probation 1 yr. per practice errors
January 23, 2009*
- No Action:*
13. *BPN09-29
Alleged patient neglect
November 12, 2008*

6A

EXPENDITURES
FIRST HALF
FY2009

Executive Director reported that expenditures for the first half of FY 2009 were \$190,726.95. Balance at the end of the first half was \$190,099.15. The account balance December 31, 2008 was \$658,659.61. Total appropriations for FY 2009 are \$381,433.00.

6B

REPORT OF
PURCHASE
CARD
EXPENDITURES

Executive Director reported that the Auditor's Office requires that a report of all purchasing card expenditures are provided to board members at regular scheduled meetings. The information was provided to the Board Members

7

NCLEX PN
RESULTS

Executive Director reported that the passing average for WV for the quarter ending September 30, 2008 is 92.73%. The national passing average for that quarter is 88.27%. The passing rate for West Virginia candidates for the quarter ending December 31, 2008 is 93.33%. The national passing average for the quarter ending December 31, 2008 is 82.62%. The total passing average for the entire 2008 year was 91.74%. The national average for 2008 year was 85.62%.

8

SCHOOLS OF PRACTICAL NURSING

8A

CABELL CO
SCHOOL PN

Lanette Anderson has communicated with the Cabell County School of Practical Nursing by telephone several times. A verbal report of the progress of this program was provided to members.

9

SALEM INTER-
NATIONAL
UNIVERSITY

Members were provided with documentation submitted by four (4) existing LPN schools in West Virginia. Salem's status is currently approval to plan granted by the Board in October 2008.

10 NCSBN

10A

NCSBN
MID-YEAR
MEETING

The mid-year meeting of the NCSBN will be held in Chicago March 3 and 4th, 2009. A Leadership Conference for Board Presidents and Executive Officers will be held on March 2, 2009. NCSBN is sponsoring the attendance of two representatives from each Member Board, so there is no cost to the LPN Board. A motion was made by Joan Smith that the Board authorize and appoint two persons to attend the Mid-Year Meeting of the National Council of State Boards of Nursing and Leadership Conference. Motion was seconded by Vickie Bennett. Motion carried by mail vote March 3, 2009.

10B

TRANSITION
TO
PRACTICE
COMMITTEE

Executive Director reported that the Transition to Practice Committee has provided to members a fact sheet which addresses the concerns in the area of nurses' transition from education to practice, and the possibility of a regulatory model designed to promote a process which will result in improved patient safety and nurse satisfaction.

10C

LETTER
FROM
LAURA
RHODES

Executive Director reported that a letter was sent by Laura Rhodes, President, NCSBN, to all Member Boards, addressing various issues concerning NCSBN, specifically including the issues surrounding compact and single state licenses.

10D

CORE
REPORT

Executive Director reported that a recent report from the Commitment to Ongoing Regulatory Excellence, including data collected from this Board and its stakeholders, as well as comparison and aggregate data compiled from other boards, was provided to the Board. Questions and comments from members were welcomed.

10E

UNIFORM
CORE
LICENSURE
REQUIRE-
MENTS
MEETING

Lanette Anderson and Kim Cremeans attended this meeting on November 5 and 6, 2008 in Chicago. A verbal report was provided.

11

GRADUATES
OF FOREIGN-
BASED/
AFFILIATED
PROGRAMS

Executive Director reported on information received regarding an investigation of several foreign-based programs. This Board no longer accepts applications from any of these questionable schools.

12

WV CENTER
FOR
NURSING
UPDATE

A verbal report was provided to Board members on updated activities of the WV Center for Nursing by Duane Napier, Executive Director.

13

LPNS AND
RESPIRATORY
CARE AT
STONEWALL
JACKSON

Executive Director reported that the Board has received information from the Board of Respiratory Care which alleges that LPNs at Stonewall Jackson Memorial Hospital are performing respiratory care activities which are in conflict with the position statement reviewed by the Board in October 2008. Counsel for the hospital has provided a response. No action was proposed by the members following discussion.

14

**LEGISLATIVE
UPDATE**

Executive Director reported that the following pieces of legislation have been introduced to date which would amend some portions of Chapter 30 of the West Virginia Code:

HB 2403 – proposed revisions to Chapter 30

HB 2486 – exemption from licensure for RNs and LPNs practicing in connection with religious tenets

HB 2539 – permits Chapter 30 boards to combine administrative functions

15

**ASSOCIATION
OF LICENSING
BOARDS**

Executive Director reported that this group will meet at 101 Dee Drive on Friday, March 13, 2009 at 1:00 pm. Minutes for that meeting will be provided to members.

16

**REVIEW
REVISION
SCOPE OF
PRACTICE
DOCUMENT**

Executive Director reported that it is anticipated that the revisions to the Scope of Practice (Purple Book) will be ready for review and approval by both Boards at the Joint RN/LPN meeting in June 2009. Members were provided with revisions to date.

17

**BD POSITION
STATEMENT
IV THERAPY**

Executive Director reported that as updates are made to this document during the review of the Purple Book, members are asked to review and approve this as presented or as revised. Approval will occur in June 2009 at the time that the entire Purple Book is reviewed and voted upon.

18

**PROPOSED
CHANGES
TO 10 CSR 1
EDUCATION
RULES**

Executive Director reported that several substantial changes have been approved by the Committee charged with working on these revisions. Questions and/or comments from members of the Board were welcome.

19

SAFETY

Executive Director reported that a meeting was held with a representative from BRIM to discuss the existence of a Safety Committee in the Board office. She stated that having a Safety Committee as a standing agenda item would be sufficient. No issues were raised for discussion.

20

**ABSTRACT
ACCEPTANCE**

Michelle Winters and Lanette Anderson submitted abstracts to the International Council of Nurses for presentation at their meeting in Durban, South Africa in June 2009. Two were accepted. Cost of the trip is approximately \$4200.00 per person. This trip has been declined, however a trip is scheduled for March 25 and 26, 2009 to Biloxi, Mississippi for presentation of an accepted abstract at the Conference of Nursing Workforce Leaders. The cost of this trip is approximately \$1200.00 per person. A

motion was made by Duane Napier that the Board approve the trip to Biloxi for Michelle Winters and Lanette Anderson. Motion was seconded by Vickie Bennett. Motion carried by mail vote March 3, 2009.

21

**PROPOSED
FUTURE
MEETING
DATES**

(Previously established dates for 2009):

June 17, 2009 - Wednesday - Regular Meeting - 9:30 am

Joint RN and LPN Board Meeting - 1:00 pm

October 15, 2009 - Thursday - Regular Meeting - 10:00 am

Proposed meeting dates for 2010:

February 11, 2010 - Thursday - Regular Meeting - 10:00 a.m.

June 16, 2010 - Wednesday - Regular Meeting - 9:30 a.m.

Joint RN and LPN Board Meeting - 1:00 p.m.

October 14, 2010 - Thursday - Regular Meeting - 10:00 a.m.

A motion was made by Vickie Bennett that the proposed Board meeting dates for 2010 be approved as presented. Motion was seconded by Gregory Chiartas.

22

**BD MEMBER
APPOINTMENTS**

Executive Director reported that as of this date, no word has been received from the Governor's Office regarding member appointments.

23

**STAFF
SALARY
INCREASES**

Executive Director reported that salary adjustments became effective January 2009.

24

**ELECTION OF
OFFICERS**

Duane Napier - President

Gregory Chiartas - Vice-President

Catherine Vance - Secretary

A motion was made by Vickie Bennett that the Board Members approve the above named officers. Motion was seconded by Joan Smith. Motion carried by mail vote March 3, 2009.

Duane Napier - Disciplinary Review Committee

Vickie Bennett - Disciplinary Review Committee

Joan Smith - Disciplinary Review Committee

A motion was made by Gregory Chiartas that the Board Members approve the above members of the Disciplinary Review Committee. Motion was seconded by Vickie Bennett. Motion carried by mail vote March 3, 2009.

25
MISCELLANEOUS

25A
NCSBN CALL *Executive Director provided members with information relating to available Board of
FOR Director opportunities. Candidate nominations must be submitted by April 13, 2009.*
NOMINATIONS

25B
PAPERLESS *Executive Director reported that all licensees will be notified on the license this year
LICENSURE at renewal that this is the last such license that they will receive. The expiration date
 has been changed to reflect a June 30 annual date, and the quality of the paper for
 the license has been upgraded so that it is thicker and more durable.*

25C
POSITIVE *Michelle Winters recently received a complimentary letter from a licensee which was
FEEDBACK shared with the Board members.*

26
ADJOURNMENT *Duane Napier, Vice-President, adjourned the meeting at 11:30 a.m.*

APPROVED BY:

Joan Smith, Secretary _____
Date

PREPARED BY:

Elsie S. Patterson, Adm. Aide _____
Date