

WEST VIRGINIA STATE BOARD OF EXAMINERS
FOR LICENSED PRACTICAL NURSES

MINUTES

BOARD MEETING
OCTOBER 14, 2004

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 Chairperson, Jean Yates at
at 10:00 a.m. Welcome and introduction of guests followed.*

Members Present -

*Jean Yates
Gregory Chiartas
Joan Smith
Joseph Kessel
Duane Napier
Vickie Bennett
Catherine Vance
Mark Stephens*

Members Absent -

Suzannah Higgins

Staff Present -

*Lanette Anderson
Tammy Crookshanks
Elsie Patterson*

Guests Present -

*Francine Kirby
Rita Harber
Mary Jordan
Greg Justus
Heather Keaton
Ashley Estep
Leanne Justice
Cortney Rowe
Brandi Torres
Cassandra Cline
Brittany Rose
Jessica Denton
Karima Powell
Doris Banks
Kristina Davis
Audrey Denton*

Joyce Egnor
Rebecca Mullins
Stephanie Waters
Amy Zachary
Joyce Hagerman
Teresa Pollis
Melissa Perry
Sandra Thompson
Janet Rogers
Jackie Cross
Johnnie Yokum
Sasha Hulble
Sara Coberly
Mary Laub
Dustin Lopez
Tiffany Curran
Pam Cline
Kimberly Maxson
Erika Wyatt
Melissa McGee
Emily Smith
Sharon Wood
Michele Werner
Amanda Heck
Charlotte Scott
Becky Davis
Frances Biven
Edna Croston
Amie Thomas

2 INTRODUCTION Members, guests & staff introduced themselves.
OF MEMBERS &
GUESTS

3
PROPOSED By acclamation, the Proposed Agenda was approved by the Board.
AGENDA

4
MINUTES OF Motion was made by Joan Smith to accept minutes from the previous meeting,
PREVIOUS held June 16, 2004. Motion was seconded by Vickie Bennett. Motion carried.

5A
DISCIPLINARY Disciplinary cases resolved since June 2004:

Consent Agreements:

1. Lesley K. Perry, License No. 21781; BPN04-140
Reprimand per allegation of abandonment
June 17, 2004

2. Paula J. Hylton, License No. 26277; BPN04-153
Probation 2 yrs. per previous felony
June 17, 2004

3. Regina R. Haight, License No. 18590; BPN04-132
Reprimand per false documentation
June 29, 2004

4. *Martha P. Smith, License No. 17652; BPN04-150
Monetary Penalty \$200 per worked on lapsed license
June 29, 2004*
5. *Letha R. Davis, License No. 14053; BPN04-112
Monetary Penalty \$700 per worked on lapsed license
July 19, 2004*
6. *Judy L. Eich, License No. 25131; BPN04-153
Reprimand per failure to report previous misdemeanor
July 27, 2004*
7. *Brenda I. Snyder, License No. 13282; BPN04-109
Reprimand per neglect
July 27, 2004*
8. *Stacey D. Mullins, License No. 24228; BPN04-162
Reprimand per false information on application
July 30, 2004*
9. *Timothy Hudson, Endorsement Applicant; BPN05-01
Probation 3 yrs. per drug diversion
August 16, 2004*
10. *Heather D. Christian, Endorsement Applicant; BPN04-148
Suspended 3 mos. per worked without WV license
August 17, 2004*
11. *Pamela S. Radabaugh, License No. 11606; BPN99-101
Monetary Penalty \$1000 per worked on lapsed license
August 17, 2004*
12. *Linda M. Cogar, License No. 07688; BPN04-160
Probation 1 yr. per alleged patient abuse
August 17, 2004*
13. *Brenda J. Moser, License No. 25188; BPN04-158
Suspension 1 yr. and Probation 3 yrs. per drug use and misappropriation
August 20, 2004*
14. *Diana K. Johnson, License No. 20460; BPN05-09
Monetary Penalty \$200 per worked on lapsed license
August 24, 2004*
15. *Amie Burks, License No. 26222; BPN04-161
Monetary Penalty \$400 per worked on lapsed permit
August 25, 2004*
16. *Kimberly A. Edwards, License No. 25545; BPN04-151
Reprimand per false documentation
August 25, 2004*
17. *Roberta M. Smith, License No. 16445; BPN04-149
Reprimand per failure to report misdemeanor conviction
August 26, 2004*

18. *Melissa D. North, License No. 25620; BPN04-159
Reprimand per neglect
August 26, 2004*
19. *Joycelyn A. Vaughn, License No. 25162; BPN04-145
Probation 1 yr. per failure to report convictions
August 26, 2004*
20. *Larry E. Dallison, License No. 05304; BPN04-135
Probation 2 yrs. per working while intoxicated
September 2, 2004*
21. *Juanita Greuber, License No. 15754; BPN04-141
Reprimand per verbal abuse
September 15, 2004*
22. *Kimberly G. Cooper, License No. 20407; BPN05-10
Reprimand per failure to intervene
September 15, 2004*
23. *Gail A. Henry, License No. 23691; BPN04-17
Probation 1 yr. per medication and documentation error
September 15, 2004*
24. *Cynthia A. Greenfield, License No. 25051; BPN05-27
Reprimand per false documentation
October 5, 2004*
25. *Pamela M. Martin, License No. 17451; BPN05-08
Monetary Penalty \$200 per worked on lapsed license
October 5, 2004*
26. *Kathryn E. Starcher, License No. 09132; BPN05-04
Reprimand per false documentation
October 5, 2004*
27. *Roxie D. Crum, License No. 18865; BPN05-15
Monetary Penalty \$200 per worked on lapsed license
October 5, 2004*
28. *Nancy E. Lamb, License No. 05810; BPN05-22
Monetary Penalty \$200 per worked on lapsed license
October 5, 2004*
29. *Melissa G. Bolton, License No. 19793; BPN03-88
Additional 1 yr. probation per false documentation
October 6, 2004*
30. *Terence Johnson, License No. 24211; BPN03-37
Probation 2 yrs. per boundary violation
October 14, 2004*
31. *Sheila Norton, License No. 20725; BPN04-157
Suspension 6 mos. and Probation 2 yrs. per forged prescriptions for personal use
October 14, 2004*

Reinstatements:

32. *Rachelle L. McDonald, License No. 19061; BPN01-04
From 2 yrs. Probation to Full Status
June 28, 2004*

33. *Leah R. Henline, License No. 04602; BPN03-105
From 1 yr. Probation to Full Status
October 4, 2004*

Voluntary Surrender:

34. *Judith Pittman, License No. 17282; BPN05-52
Failure of CE Audit
September 21, 2004*

No Formal Action:

35. *BPN04-107
Alleged practice errors
July 7, 2004*

36. *BPN05-20
Alleged practice error
August 24, 2004*

37. *BPN04-81
Alleged practice error
August 24, 2004*

38. *BPN04-13
Alleged verbal abuse
September 15, 2004*

39. *BPN04-44
Misdemeanor
September 15, 2004*

40. *BPN04-45
Misdemeanor
September 15, 2004*

*BUDGET
6A FINAL
EXPENDI-
TURES
FY 2004*

Executive Director reported that expenditures for FY 2004 were \$353,888.15. Total appropriations for 2004 were \$363,090. Balance at the end of the year was \$9,201.85.

*6B
EXPENDI-
TURES
1ST QTR
FY 2005*

Executive Director reported that expenditures for the 1st quarter, FY 2005, are as anticipated at \$81,482.69.

6C

APPROPRIATIONS REQUEST FY 2006

Members received the FY 2006 Request for Appropriations by mail in mid-August. The mail vote authorized submission of the request of \$363,090 to the Department of Administration. By acclamation the Board Members authorized the Appropriations Request of \$363,090 for FY 2006 be reaffirmed.

6D

PURCHASE CARD EXPENDITURES

Purchase card expenditures for the months of April, May and June 2004 were reported to the Board in accordance with requirements of the Auditor's Office. Staff was available for any inquiries from members of the Board.

7

PURCHASE CARD POLICIES & PROCEDURES

Executive Director reported that the Auditor's Office requires that each agency have an internal policy in place with regards to utilization of the Purchase Card. Board members were provided with a draft of the updated policy for their review. A motion was made by Mark Stephens that the Purchase Card Policy for the LPN board be approved as submitted. Motion was seconded by Joan Smith. Motion carried.

8

ANNUAL REPORT

Members were mailed the Annual Report of the Biennium covering the period July 1, 2002 to June 30, 2004. No comments or recommendations were made by members.

9

FALL 2004 LPN NEWS

The LPN newsletter was provided to board members. Executive Director reported that the newsletter will be mailed to all licensees, legislators, schools, health care facilities, associations and others on the list. It will also be posted on the website.

10

NCLEX-PN TESTING RESULTS

Executive Director reported that the passing average for WV is 73.91% for the quarter ending June 30, 2004, down from 91.26% for the previous period ending March 31, 2004. Only 21 candidates tested during that time period; and 5 failed. Several of those were individuals who had graduated several months prior to their testing date. The national passing average for the quarter ending June 30, 2004, was 87.75% down slightly from 88.21% for the quarter ending March 31, 2004. The testing service web site indicates as of the date of the Board meeting since July 1, 2004, 254 candidates have tested, and 238 have passed for a passage rate for WV graduates of 93.7%.

11

SCHOOLS OF PRACTICAL NURSING

11A

MINERAL COUNTY SCHOOL OF NURSING

A site visit was made by Lanette Anderson and Edna Croston, new Coordinator of the Randolph County LPN School, to the Mineral County School of Practical Nursing in Keyser, WV on September 21, 2004. After discussion of the findings, a motion was made by Catherine Vance that the Mineral County School of Practical Nursing be granted Full State Accreditation for a period of three (3) years, ending October 31, 2007. Motion was seconded by Joan Smith. Motion carried.

11B

NEW RIVER COMMUNITY & TECHNICAL SCHOOL PN

A site visit was made by Lanette Anderson and Tammy Crookshanks to the New River Community & Technical College School of Practical Nursing on September 23, 2004. This program graduated its first class of students in July 2004. After discussions of the findings, a motion was made by Duane Napier that the New River Community and Technical College School of Practical Nursing be granted Full State Accreditation for a period of three (3) years, ending October 31, 2007. Dr. Mark Stephens opposed. Motion was seconded by Joan Smith. Motion carried.

11C

PUTNAM COUNTY CAREER AND TECHNOLOGY CENTER Executive Director reported that this program began its first class in late August 2004. Board staff have had frequent contact with the Coordinator of the program during this initial time period, and as of this time things appear to be going well.

11D

LOGAN-MINGO SCHOOL PN Executive Director reported that this program has a new coordinator. Information compiled from an instructor of the program regarding this and other changes were discussed. A verbal report was given by the new coordinator.

11E

RANDOLPH COUNTY SCHOOL OF PN Executive Director reported that Edna Croston has been named coordinator of the program, and a new full time faculty person has been hired. Student progress appears to be on track, and staff has frequent communications with Ms. Croston and Mr. Johnson, Director of the school. The Board will review this program again in February 2005 for consideration of a change in accreditation status from Provisional to Full Status.

12 NATIONAL COUNCIL OF STATE BOARDS OF NURSING (NCSBN)

12A

DELEGATE ASSEMBLY MEETING Lanette Anderson attended the NCSBN Delegate Assembly meeting in Kansas City, MO August 3 - 6, 2004. A verbal report was given on the following topics:

1. Approval of revisions to the NCLEX-PN Test Plan
2. Approval of the revised Model Nurse Practice Act and Model Rules
3. Update on the status of NCSBN's plan to proceed with administration of the NCLEX in other countries for the purpose of licensure within US jurisdictions. Locations which have been chosen at this time are the UK, Hong Kong and South Korea.
4. Approval of the strategic plan as proposed by the Board of Directors
5. Adoption of a resolution which states that NCSBN and its member boards support the necessity for inclusion of planned, structured, and supervised clinical instruction as an essential to nursing education for nurses at all points in their careers
6. Adoption of the NCSBN publication entitled "Minimal Data Set for the Evaluation of International Nurses" for use by regulators and organizations that evaluate the credentials of foreign-educated nurses for the purposes of meeting state and national regulations for initial licensure and endorsement.

12B

COMMITMENT TO ONGOING REGULATORY EXCELLENCE Lanette Anderson gave a verbal report on the status of this project. She will attend another meeting of the CORE Advisory Panel in December 2004.

12C

TERCAP\ CHEMICAL DEPENDENCY PROJECTS Tammy Crookshanks gave a verbal report of these projects to members. Staffing changes at National Council have resulted in a delay at this time with the Chemical Dependency project and the TERCAP project. Members will be updated when activity begins again on these projects.

12D

INSTITUTE OF REGULATORY EXCELLENCE FELLOWSHIP PROGRAM Lanette Anderson will complete her initial project this fall. She will provide a CE offering to nurses entitled "Reporting a Nurse to the Board: When, How, Why?" It will take place on November 19, 2004 in the large conference room at the Board office and will be provided free of charge.

12E

APPOINTMENT TO COMMITTEE Lanette Anderson has been reappointed as a member of the CORE Advisory Panel. This will be her third year on the panel. She has also been appointed to serve on the NURSYS Advisory Panel.

12F

NURSYS UPDATE Executive Director reported that several test runs for data submission have been sent between our data base and the NURSYS system. The only issue that has occurred is that our data base does not include a basis for licensure (i.e., exam or endorsement) on all of our records in the place that it would most easily be accessible to NURSYS. We are working through this issue, and still anticipate that our data will be ready for submission by the end of this year.

12G

PN FOCUS GROUP Lanette Anderson attended the PN Focus Group meeting at National Council offices in April. Work in this regard is ongoing, and when a White Paper is developed it will be shared with members.

13 REPORT OF MEETINGS ATTENDED:

13A

WV STATE REQUIRED ANNUAL TRAINING SEMINAR Tammy Crookshanks gave a verbal report of the WV State Required Annual Training Seminar held by the State Auditor's Office on September 8, 2004 in Charleston, WV.

13B

WV ASSOCIATION LICENSING BOARDS This meeting was held on September 8, 2004 following the Auditor's Office Training Seminar. New Bylaws were approved, and approval was also given for the development of a website for this group. Members were provided minutes from this meeting.

13C

NCSBN/NCLEX INVITATIONAL This meeting was held on September 13, 2004 in San Francisco, CA. Joan Smith attended this meeting and gave a verbal report to members.

13D

FARB ATTORNEY CERTIFICATION MEETING This meeting was held from October 8 - 10, 2004 in New Orleans, LA. Gregory Chiartas attended this meeting and gave a verbal report to members.

14

REVISIONS BOARD RULES 10 C.S.R.4 Executive Director reported that proposed revisions to the rules were reviewed by the Legislative Rule-Making Review Committee in August. No additional action is required at this time. The rules will be introduced as a bill during the 2005 Legislative Session, at which time staff will appear before assigned committees to respond to questions or concerns of legislators.

15

LEGISLATIVE PRO-CEDURAL RULES Executive Director reported that the Board has recently reviewed and revised the Education and Fees Rules. The Series 2 Rules, Licensure, and Series 6 Rules, Continuing Competence, was last revised in 2001. The Board's only set of procedural rules, Series 5, was last updated in 2000. By acclamation, the Board Members voted to review these rules, possibly with use of a committee with staff assistance, for submission to the Board as a whole for review/approval at the February meeting. The issue of foreign-educated nurses may need to be addressed, particularly in the Licensure rules.

16

SURVEYS OF HEALTH CARE FACILITIES LPN STAFFING & UTILIZATION Executive Director reported that this survey was sent to hospitals, nursing homes, and other entities which employ LPNs. A total of 372 surveys were sent. Modifications were made to this document in order to obtain more accurate and timely information about LPN staffing trends, and how LPNs are actually being utilized in the workplace. The results of this survey are shared with the LPN schools in the state so that they can better prepare their graduates for the workplace while making sure that they function within the legal standards of practice. To date 141 surveys have been returned, and members will be provided with summary information at the February 2005 meeting.

17

NURSING CENTER TASK FORCE Duane Napier is the Board's representative on the WV Center for Nursing. A verbal report was given to members of the Board.

18

BOARD GOVERNANCE POLICY Executive Director reported that the Board does not have a formal written governance policy. It has become apparent that this is a common standard among other boards of nursing, as well as other similar entities. The Executive Director has drafted a governance policy for this Board, a copy of which was provided to members of the Board. A motion was made by Duane Napier that the Governance Policy for the WV LPN Board be adopted as presented. Motion was seconded by Joan Smith. Motion carried.

19

MISCELLANEOUS

19A

REQUEST PERMISSION TO TAKE NCLEX-PN EXAM Executive Director reported that there are three (3) individuals that have requested to take the LPN examination:

1. This individual graduated from LPN school and failed the NCLEX exam in 1997. She has been employed as a CNA since 1992 and indicates that she is willing to undertake NCLEX review.
2. This second individual completed her LPN training in Florida in 1999. She has worked outside of health care since that time, but would like to attempt the LPN examination.
3. This third individual graduated from an LPN program here in West Virginia in 1998. She has worked as an activities director in a nursing home.

A motion was made by Joan Smith that the Board approve the eligibility of these individuals to test only after they have completed a course of study and/or testing in an accredited LPN program designed to test their knowledge, skills, and ability to perform at a beginning graduate LPN level. Motion was seconded by Duane Napier. Motion carried.

20

ADJOURN- Meeting was adjourned by Chairperson, Jean Yates at 11:30 a.m.
MENT

APPROVED BY:

Suzannah Higgins, Secretary

Date

PREPARED BY:

Elsie S. Patterson, Adm. Aide

Date