

WEST VIRGINIA STATE BOARD OF EXAMINERS
FOR LICENSED PRACTICAL NURSES

MINUTES

BOARD MEETING
OCTOBER 13, 2005

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 10:30 a.m. Welcome and introduction of guests followed.*

Members Present -

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

Members Absent -

Mark Stephens
Suzannah Higgins

Staff Present -

Lanette Anderson
Tammy Crookshanks
Elsie Patterson

Guests Present -

Mary Berry
Amy Bennett
Robin Feather
Bill Watton
Connie Wright
Cindy Likens
Rebecca Howard
Jennifer Breeden

*Goldie Barnes
Lynn Vandevander
Miranda Reckart
Elizabeth Nuzum
Susan Browning
Rita Harber
Sandra Thompson
Amy Carpenter
Carolyn Law
Jill Metz
Anita Doolittle
Angela Atwood
Tammy McDonald
Emmy Woffitt
Michelle Oldaker
Glenda Eckes
Jessica Maridai
Rhonda Rogers
Jon Rogers
Patricia Smith
Sydelle Curtis
Kathleen Monne
Sveellen Kessel
Margaret Metz
Terra Keen
Gina Miller
Tanya Cullers
Miranda Dickerson
Jennifer Fluharty
Renita Allen
Erica Taylor
Sharon Randolph
Amanda Payne
Daniel Payne
Jennifer Vanest
Brent Ritchie
Jeff Walters
Jennifer Casto
Michael Erwin
Becky Davis
Cynthia Sundstrom
Ryan Hines
Edna Croston
Felicity Mounts
Amie Thomas
Frances Bivens
Francine Kirby
Matthew Mullins*

Ashley Bradley
Leslie Worthington
Ericia Ellison
Angie Short
Stephanie Thornsby
Kristy Rose
Stephanie Cline
Vera Harrison
Tonia King
Jackie Coleman
Kristin Smith
Cynthia Perry
Heather Potterfield
Brittany Walker
Edith Eldridge
Debra Payne
Danita Cottle
Scotty Palmer
Charity Cottle

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

3
PROPOSED Motion was made by Duane Napier that the Proposed Agenda be approved. Motion
AGENDA was seconded by Vickie Bennett. Motion carried.

4
MINUTES OF Motion was made by Joan Smith to accept minutes from the previous meeting,
PREVIOUS held June 15, 2005. Motion was seconded by Duane Napier. Motion carried.

5A
DISCIPLINARY Disciplinary cases resolved since June 2005:

Consent Agreements:

1. Kelly J. Phillips, License No. 24979; BPN05-159
Reprimand per documentation errors
June 17, 2005
2. Donna D. Triplett, License No. 26304; BPN05-142
Reprimand per practice issues
June 17, 2005
3. Kimberly D. Butcher, License No. 25993; BPN05-167
Reprimand per false info on application
July 11, 2005

4. *Kathleen Conroy, License No. 19993; BPN05-125
Monetary Penalty \$400 per worked on lapsed lic.
July 11, 2005*
5. *DeeDee A. Loughrie, License No. 22602; BPN05-119
1 year prob. per practice & documentation issues
July 25, 2005*
6. *Erin L. Sammons, License No. 24456; BPN06-05
Monetary Penalty \$200 per worked on lapsed lic.
August 8, 2005*
7. *Christine L. Higgins, License No. 21239; BPN05-174
CE and fine for Audit Failure
August 8, 2005*
8. *Vickie L. Adkins, License No. 24605; BPN05-158
Reprimand per practice issue
August 8, 2005*
9. *Kathleen L. Kleinik, License No. 23162; BPN05-175
Reprimand per practice error
August 8, 2005*
10. *Sabrina Helmstetler, License No. 22755; BPN05-173
Reprimand per misdemeanor conviction
August 8, 2005*
11. *Lisa C. Phillips, License No. 24884; BPN06-07
Monetary Penalty \$200 working on lapsed license
August 18, 2005*
12. *Stephanie Y. McMillen, License No. 19052; BPN06-02
Monetary Penalty \$200 working on lapsed license
August 18, 2005*
13. *Megan N. Canada, License No. 25183; BPN06-06
Monetary Penalty \$200 working on lapsed license
August 23, 2005*
14. *Jarrold L. West, License No. 26474; BPN06-10
Monetary Penalty \$200 working on lapsed license
August 24, 2005*
15. *Jessica A. Swanger, License No. 25600; BPN06-27
Monetary Penalty \$200 working on lapsed license
August 24, 2005*

16. *Jennifer C. Perkins, License No. 21732; BPN06-19
Monetary Penalty \$200 working on lapsed license
August 24, 2005*
17. *Donna G. Wright, License No. 24487; BPN06-12
\$340 & continuing education for failed audit
August 24, 2005*
18. *Ernestine Owens, License No. 14843; BPN06-01
Reprimand per practice issue
August 24, 2005*
19. *Paul G. Elkins, License No. 17480; BPN05-160
Probation 1 yr. for practice & doc. errors
August 25, 2005*
20. *Mary M. Hendershot, License No. 18688; BPN06-35
\$340 & continuing education for failed audit
August 30, 2005*
21. *Tonya L. Snider, License No. 20233; BPN06-22
Monetary penalty \$200 working on lapsed license
August 30, 2005*
22. *Frances Lingerfelt, License No. 17351; BPN06-23
Reprimand per disciplinary action in Virginia
September 1, 2005*
23. *Lynda K. Molinaro, License No. 03274; BPN06-26
Monetary penalty \$200 working on lapsed license
September 7, 2005*
24. *Helen R. Miller, License No. 25046; BPN05-161
Probation 1 yr. per practice errors
September 12, 2005*
25. *Phyllis A. Vance, License No. 12697; BPN06-36
Monetary penalty \$1,400 working on lapsed license
September 14, 2005*
26. *Brenda K. Mogus, License No. 21158; BPN06-08
Monetary penalty \$200 working on lapsed license
September 15, 2005*
27. *Joshua A. DeVere, License No. 26153; BPN06-13
Monetary penalty \$200 working on lapsed license
September 28, 2005*

28. *Brenda L. Martin, License No. 20137; BPN06-21
Monetary penalty \$200 working on lapsed license
September 28, 2005*

29. *Cheryle E. Smith, License No. 09116; BPN06-42
Monetary penalty \$300 working on lapsed license
September 28, 2005*

30. *Geraldine B. Cochrane, License No. 16042; BPN06-18
Monetary penalty \$200 working on lapsed license
September 28, 2005*

31. *Lennie M. Ward, License No. 20296; BPN06-49
Probation 1 yr. per practice errors
September 28, 2005*

32. *Barbara G. Fleece, License No. 21769; BPN06-43
Monetary Penalty \$300 per worked on lapse license
September 28, 2005*

Reinstatements:

33. *Leanna R. Walker, License No. 24565; BPN04-129
From 1 year probation to full status
July 5, 2005*

34. *Velvet J. Dingess, License No. 18146; BPN01-174
From 2 years probation to full status
July 5, 2005*

35. *Winnifer C. Jones, License No. 18840; BPN01-48
From 1 year probation to full status
July 18, 2005*

36. *Janet L. Zaharko, License No. 21762; BPN02-155
From 1 year probation to full status
September 16, 2005*

37. *Virginia S. Riffle, License No. 24681; BPN03-158
From 2 yrs. probation to full status
September 3, 2005*

38. *Michael W. Meyer, License No. 22212; BPN03-117
From 18 mos. probation to full status
October 3, 2005*

39. *Jennifer M. Stone, License No. 24449; BPN04-124
From 1 yr. probation to full status
October 4, 2005*

Voluntary Surrenders:

40. *Rebecca F. Christian, License No. 11329; BPN05-151
Voluntary surrender per practice issues
July 26, 2005*

41. *Marcella S. Herald, License No. 14663; BPN05-150
Voluntary surrender per practice issues
August 11, 2005*

42. *Bonnie J. Janos, License No. 03664; BPN06-30
Voluntary surrender per practice issues
August 29, 2005*

43. *Mary E. Linqvist, License No. 07023; BPN06-39
Voluntary surrender per worked on lapsed license
August 29, 2005*

44. *Barbara M. Stigall, License No. 04147; BPN06-46
Voluntary surrender per practice & documentation issue
September 7, 2005*

No Action:

45. *BPN06-17
Prior misdemeanor; no action
August 4, 2005*

46. *BPN06-24
Alleged false documentation
September 14, 2005*

BUDGET

6A FINAL EXPENDITURES FY 2005 *Executive Director reported that expenditures for FY 2005 were \$357,629.91. Total appropriations for FY 2004 were \$363,090. Balance at the end of the year was \$5,460.09.*

6B EXPENDITURES 1ST QTR FY 2006 *Executive Director reported that expenditures for the 1st quarter, FY 2006, are as anticipated at \$94,039.78.*

6C APPROPRIATIONS REQUEST *Members received the FY 2007 Request for Appropriations by mail in mid-August. The mail vote authorized submission of the request of \$363,090 to the Department of Administration. A motion was made by Duane Napier that the mail vote authorizing*

FY 2007 *the Appropriations Request of \$363,090 for FY 2007 be reaffirmed. Motion was seconded by Joseph Kessel. Motion carried.*

6D

**PURCHASE
CARD
EXPENDI-
TURES** *Purchase card expenditures for the months of April, May and June 2005 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

**ANNUAL
REPORT** *Members were mailed the Annual Report of the Biennium covering the period July 1, 2003 to June 30, 2005. No comments or recommendations were made by members.*

8

**FALL 2005
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.*

9

**NCLEX-PN
TESTING
RESULTS** *Executive Director reported that the passing average for WV is 88.24% for the quarter ending June 30, 2004, down from 94.44% for the previous period ending March 31, 2005. Only 17 candidates tested during that time period; and 2 failed. The national passing average for the quarter ending June 30, 2005, was 88.30% down slightly from 90.59% for the quarter ending March 31, 2005. The testing service web site as of the date of the Board meeting indicated that 204 candidates have tested, and 195 have passed for a passage rate for WV graduates of 95.59% for the quarter ending on September 30, 2005.*

10

SCHOOLS OF PRACTICAL NURSING

10A

**MCDOWELL
COUNTY
SCHOOL OF
PN** *A site visit was made by Lanette Anderson, Tammy Crookshanks and Rebecca Davis from the State Department of Education, to the McDowell County School of Practical Nursing on September 26, 2005. After discussion of the findings, a motion was made by Vickie Bennett that the McDowell County School of Practical Nursing be granted Full State Accreditation for a period of three (3) years, ending October 31, 2008. Motion was seconded by Joan Smith. Motion carried.*

10B

**PUTNAM
COUNTY
SCHOOL
OF PN** *A site visit was made by Lanette Anderson and Tammy Crookshanks to the Putnam County School of Practical Nursing on September 14, 2005. After discussion of the findings, a motion was made by Joan Smith that the Putnam County School of Practical Nursing be granted Full State Accreditation for a period of three (3) years, ending October 31, 2008. Motion was seconded by Vickie Bennett. Motion carried.*

10C

FAYETTE COUNTY SCHOOL OF PN Executive Director reported that this program began its first class of students in late March 2005. Per the Board's Rules, Series 1, a site visit was made by Lanette Anderson and Rebecca Davis from the State Department of Education on September 27, 2005. Members will review the program for Full State Accreditation at the June 2006 meeting.

11

NATIONAL COUNCIL OF STATE BOARDS OF NURSING (NCSBN)

11A

DELEGATE ASSEMBLY MEETING Lanette Anderson attended the NCSBN Delegate Assembly meeting in Washington, DC August 2-5, 2005. A verbal report was given on the following topics:

1. Adoption of the Delegation Position Paper "Working with Others: Delegation and Other Health Care Interfaces" for use by member boards;
2. Adoption of the "Model Act and Rules for Delegation and Nursing Assistant Regulatory Model" for use by member boards;
3. Adoption of the position paper "Nursing Education Clinical Instruction in Pre-licensure Nursing Programs" for use by member boards;
4. Adoption of the "Model Process for Criminal Background Check" and the supporting concept paper "Using Criminal Background Checks to Inform Licensure Decision Making" for use by member boards;
5. Resolution that NCSBN conduct a job analysis, develop a model medication administration curriculum and conduct a feasibility study for administering a competency examination for medication assistive personnel; and,
6. Resolution that NCSBN generate and publish an unambiguous public position statement indicating that nursing regulation and the interpretation of nursing scopes of practice shall be officially interpreted and explained by state nursing regulators.

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 October 2005. Stakeholder surveys are being sent out by National Council in the next few weeks, and Board templates will be sent out next year. Data will be compiled by National Council and disseminated to the Boards.

12C

TERCAP Tammy Crookshanks gave a verbal report of these projects to members.

12D

APPOINTMENT TO COMMITTEES *Lanette Anderson has been reappointed as a member of the CORE Advisory Panel and the NURSYS Advisory Panel. These appointments continue until August 2006.*

12E

NURSYS UPDATE *Executive Director reported that data submissions to NURSYS are still taking place approximately once per week, which is the average time for updating information by participating Boards.*

12F

NCSBN 101 *Executive Director reported that National Council is providing information as to what National Council is, what it does, etc. This information will be helpful to new Board members and is a good review for existing staff and Board members.*

13 REPORT OF MEETINGS ATTENDED:

13A

WV STATE REQUIRED ANNUAL TRAINING SEMINAR *Lanette Anderson gave a verbal report of the WV State Required Annual Training Seminar held by the State Auditor's Office on September 8, 2005 in Charleston, WV. Information discussed included sunset review of boards, purchase card procedures, and the rule-making process.*

13B

WV ASSOCIATION OF LICENSING BOARDS *This meeting was held on September 8, 2005 following the Auditor's Office Training Seminar. The Executive Director reported that a representative of the Governor's Office has indicated that replacement and reappointment of board members to boards contained in Chapter 30 of the WV Code who need such action should be completed in approximately six months. Also, the Executive Director reported that the WV Dietetics Association has asked other licensing boards to participate in a public policy seminar being tentatively planned for Spring 2006. Members approved the participation of this Board by acclamation. Members will be informed of any developments and dates for this public policy seminar.*

14

REVISIONS BOARD RULES
10 C.S.R. 2
10 C.S.R. 5 *Executive Director reported that proposed revisions to the Rules were reviewed by the Legislative Rule-Making Committee in October. The report from the counsel for that Committee as reviewed by the Board was provided to members of the Board. No additional action is required at this time. Since approved by the Committee, the Rules will be introduced as a bill during the 2006 Legislative Session, at which time staff will appear before assigned committees to respond to questions or concerns of legislators.*

The Board's Series 5 Procedural Rules, Open Meetings and Bylaws, became effective on August 15, 2005. Members may recall only minor editorial changes were made to those rules.

15

**WV CENTER
FOR NURSING** Executive Director reported that Duane Napier was appointed as the Board's representative on the WV Center for Nursing. However, at this time, he is stepping down as the Board's representative. A motion was made by Vickie Bennett that the Board appoint Gregory Chiartas as interim representative. Motion was seconded by Catherine Vance. Motion carried.

16

**ONLINE
LICENSURE
RENEWALS** Executive Director reported that the Board renewed approximately 600 renewals on line. There were very few problems encountered, and those were user errors.

17

**SCOPE OF
PRACTICE** Executive Director reported that the draft of the Scope of Practice, "Purple Book" has been received from the printer and has been reviewed by staffs of the RN and LPN Boards. It is anticipated that it will be ready for distribution at any time.

18

**WEBCASTING
BOARD
MEETINGS** Executive Director reported that a variety of sources, both in state and out of state about the option of webcasting the Board meetings. This option was discussed with members of the Board at the June 2005 meeting. Members will be informed regarding any progress in this area.

19

**DISASTER
PREPAREDNESS
ACCESS TO
INFORMATION** Executive Director reported that the various health care licensing boards in the state were recently contacted by the Office of Emergency Services regarding providing licensee data for a central data base that they are establishing for use in the event of a disaster. The Board's computer programmer is working with the representative of the Office of Emergency Services to provide the requested information regarding LPNs for inclusion in the data base.

20

**CLEAR
INVESTIGATOR
COURSE** Executive Director reported that the RN Board has obtained a contract with the Council on Licensure, Enforcement, and Regulation (CLEAR) to provide their Investigator/Inspector Basic Training Program here in Charleston. At least 60 individuals would have to commit to attend before the contract can be signed. The registration fee is \$350.00 per person. Information has been provided to other licensing boards and is also being provided to the Prosecuting Attorney's Institute attendees. The course is three (3) days in duration. A motion was made by Joan Smith that the Board approve the attendance of any interested Members and staff to attend the CLEAR Investigator/Inspector Basic Training Program if offered in Charleston, WV. Motion was seconded by Duane Napier. Motion carried.

21

MISCELLANEOUS

21A

**REQUEST
PERMISSION** Executive Director reported that there are two (2) individuals that have requested to take the LPN examination:

TO TAKE**NCLEX-PN
EXAM**

1. *This individual graduated from LPN school in Kentucky in 1998, and took the NCLEX exam once in 1999. She has worked in a doctor's office since 2001.*

2. *This second individual graduated from an LPN program in West Virginia in 1999. She never took the NCLEX exam, and now wants to go to Mountain State's RN program. She needs an LPN license in order to become enrolled in that program.*

A motion was made by Gregory Chiartas 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.

21B**MILEAGE
RATE
INCREASE**

Effective September 14, 2005, the mileage rate for state travel will increase from 40.5 cents per mile to 48.5 cents per mile.

21C**FARB ANNUAL
FORUM**

Executive Director reported that the FARB Annual Forum will be held in San Diego, CA. February 3-5, 2006. Information to be presented at the meeting includes board operations and governance, education and licensure, and disciplinary issues. Cost of the meeting will be approximately \$1600.00 per person. A motion was made by Joan Smith that the board approve the attendance of two (2) individuals to the FARB Annual Forum to be held in San Diego, CA from February 3-5, 2006. Motion was seconded by Duane Napier. Motion carried.

21D**WVNA/RN
BOARD 100
YEAR
CELEBRATION**

Executive Director reported that an event celebrating 100 years of nursing in WV is being planned by the West Virginia Nurses Association and the RN Board for 2007. This Board is invited to participate in this event, both in terms of planning, extending information to LPNs for their participation, etc. More information will be provided as it becomes available.

21E**FIRST
ANNUAL
REPORT**

The Board Members were provided with the first Annual Report submitted by the Board to the Governor.

22**ADJOURN-
MENT**

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

APPROVED BY:

Jean Yates, Chairperson

Date

PREPARED BY:

Elsie S. Patterson, Adm. Aide

Date