

**WEST VIRGINIA BOARD OF EXAMINERS FOR  
REGISTERED PROFESSIONAL NURSES  
February 2, 2016**

---

A Board meeting was held at the office of the West Virginia Board of Examiners for Registered Professional Nurses at 101 Dee Drive, Charleston, WV 25311-1620 on February 2, 2016.

**BOARD MEMBERS PRESENT:**

TARA F. HULSEY, PhD, RN, CNE, FAAN, PRESIDENT

TERESA RITCHIE, DNP, APRN FNP-BC, SECRETARY  
**by conference call**

NANCY V. ATKINS, MSN, APRN WHNP-BC

L. ANN BOSTIC, DNP, APRN CRNA

DORIS F. BURKEY, DNP, MSN, APRN FNP-BC

JUDY NYSTROM, PUBLIC MEMBER

**BOARD MEMBER ABSENT**

THERESA L. DENNISON, PUBLIC MEMBER

**BOARD STAFF PRESENT:**

LAURA S. RHODES, MSN, RN, EXECUTIVE DIRECTOR

ALICE R. FAUCETT, JD, GENERAL COUNSEL AND DIRECTOR OF DISCIPLINE

ROBIN A. LEWIS, Ed.D., MSN, RN, FNP-BC, ASSOCIATE DIRECTOR

**FEBRUARY 2, 2016**

**CALL TO ORDER**

The meeting was called to order by Dr. Tara Hulsey, Board President at 9:00 A.M

## **QUORUM**

With the required number of members being present a quorum was established.

## **INTRODUCTION OF GUESTS**

The Board recognized the visitors present for the meeting.

### **1. ACCEPTANCE OF AGENDA**

#### **A. AGENDA**

- 1.A.** Ann Bostic made a motion to accept the agenda as revised. The second was offered by Doris Burkey. The motion carried.

### **2. REVIEW AND CONSIDERATION OF MINUTES FOR OCTOBER 21-22, 2015**

- 2.** Nancy Atkins made a motion to approve the meeting minutes as presented with the Consent Agreement included. Ann Bostic offered the second. The motion carried.

### **3. ENHANCED NURSE LICENSURE COMPACT (NLC) PRESENTATION BY REPRESENTATIVES FROM THE NATIONAL COUNCIL OF STATE BOARDS OF NURSING**

- 3.** Representatives from the National Council of State Boards of Nursing provided an overview of the Enhanced NLC. Presenting were Maryann Alexander, PhD, RN, FAAN Chief Officer, Nursing Regulation; Jim Puente, Director, Nurse Licensure Compact; Rebecca Fotsch, JD, State Advocacy Associate.

### **4. REVIEW AND CONSIDERATION OF NURSE LICENSURE COMPACT LEGISLATION**

- 4.** Discussion ensued regarding the information provided regarding the enhanced NLC. Points of consideration included affirming that the public is protected through this regulatory model;

talking with the LPN Board about its interest in joining as both Boards must join since it is a “state” participation; considering the time line, costs and changes needed for the licensure database; and considering overall financial impact to the agency. Nancy Atkins made a motion for the Board to move forward with pursuing the implementation of the Enhanced Nurse Licensure Compact. The second was offered by Doris Burkey. The motion carried.

**5. REVIEW AND CONSIDERATION OF WV FUTURE FOR NURSING EDUCATION SURVEY AND RELATED REQUEST FOR BOARD TO SEND THE SURVEY VIA EMAIL TO ALL REGISTERED PROFESSIONAL NURSES WITH A VALID EMAIL ON FILE WITH THE BOARD**

5. The Board reviewed and considered the request and by consensus approved sending out the WV Future for Nursing survey via email to all RNs with a valid email account with the understanding that the emails will not be collected for any other use. The Board also directed staff to follow upon on requests for clarification and suggestions for change related to some of the questions. The questions related to the reconciliation of the possible answers to: “What is your highest nursing degree?” and “do you have a BSN?”; clarification of “Is your employer requiring a BSN?”; and, further clarification of the selection “school” under the request for “Place of Employment”.

**6. REVIEW AND CONSIDERATION OF LEGISLATIVE UPDATE**

6. The Board reviewed, discussed and considered the following bills:

Senate Bill 17 This bill is a carryover bill from 2015. The purpose of this bill is to increase the membership of the Board of Examiners for Registered Professional Nurses from five to ten members. The board will be comprised of nine nurse members and one public consumer member. The nurse members will include three advanced practice registered nurses, two registered nurses,, two nurse administrators and two nursing educators. The bill also sets forth the qualifications of those nurses who may serve. The Board finds the public is protected with the current Board structure. Ann Bostic made a motion to oppose this bill. Doris Burkey offered the second. The motion carried.

Senate Bill 123 The purpose of this bill is to allow for expedited partner therapy treatment for a sexually transmitted disease. The bill permits prescribing antibiotics for the partner of a patient without first examining the partner under certain circumstances. The bill requires counseling by the physician. The

bill also requires the Department of Health and Human Resources to develop outreach materials. The bill provides for limited liability for physicians, physician assistants and advanced practice registered nurses who prescribe in an expedited partner therapy setting. The bill provides that health care professionals and pharmacists are not liable for not providing expedited partner therapy or filling certain prescriptions. The bill makes changes to the licensing portions of the code to make it permissible for the various disciplines to provide expedited partner therapy without disciplinary actions from their respective licensing boards. The Board finds the public is best protected by permitting expedited treatment. Nancy Atkins made a motion for the Board to support this bill. Ann Bostic offered the second. The motion carried.

Senate Bill 433 The purpose of this bill is to allow advanced practice registered nurses and physician assistants to complete orders for physician orders for scope of treatment forms and to pronounce death and sign a death certificate. The Board finds these changes will protect the public and expedite processes by allowing additional qualified health care providers to complete documents related to health care directives and death certificates. Doris Burkey made a motion for the Board to support this bill. Ann Bostic offered the second. The motion carried.

Senate Bill 454 The purpose of this bill is to require prescriptions for opioid antagonists to be logged into the Controlled Substances Monitoring Program and to impose penalties and fines for failure to register for and access the Controlled Substances Monitoring Program as required by code. The Board finds the public is protected by implementing this requirement. Ann Bostic made a motion for the Board to support this bill. Doris Burkey offered the second. The motion carried.

House Bill 4334 The purpose of this bill is to clarify the requirements for a license to practice as an advanced practice registered nurse and to expand the prescriptive authority that may be granted to advanced practice registered nurses (APRNs). The bill repeals separate provisions relating to nurse-midwives because these provisions are part of the APRN license requirements. This bill removes the requirement for collaborative relationships with physicians as a continuing requirement of practice, but retains the collaborative relationship requirement for a two-year period as a prerequisite to qualify for prescriptive authority. The bill permits advanced practice registered nurses to prescribe limited supplies of certain controlled substances. The bill permits the signature of an advanced practice registered nurse to have the same force and effect as that of a physician insofar as patient care documentation is concerned. The bill removes certain notifications. The bill permits certain fees to be set by rule. The Executive Director had a conversation with Angy Nixon, a representative from the West Virginia Nurses Association (WVNA) the author of the bill, to understand the intent for purposes of potential implementation. Points discussed included language in §30-7-15a regarding rule making language, learning this language is the style of the legislative attorney; Same section as it relates to prescribing medications “up to” a certain amount with one refill” this language is a concern in the current rule and would seem to result in the same concern in this law. WVNA plans to seek a modification to this language indicating that the prescription “may not be refillable”; Discussion of the requirement for the Board to send the Verification of Collaborative Agreement to the Boards of Osteopathy, Board of Medicine and the Board of Pharmacy. WVNA is not interested in making this change. The Executive Director recommended to the Board that in her opinion the Verification of a Collaborative Agreement

isn't a point to debate whether through testifying or trying to make a change, as this is a practice that already occurs and we can continue to do it. The Board supported this recommendation.; The final discussion related to a potential fiscal note; Since the Board is funded through licensing fees the bill is revenue neutral as it relates to the State's Budget. There will be expenses for the Board as it relates to changes in the database and processes. There are funds to support a database change with a reasonable cost. The Board finds that the changes in the law will provide for public safety by allowing broader practice availability of APRNs for the public. Discussion ensued. The Board's legal counsel offered advice. Doris Burkey made a motion for the Board to support the bill. Ann Bostic offered the second. The motion carried.

House Bill 4340 The purpose of this bill is to require numerous licensing boards in the medical field to place on websites with public access information on completed disciplinary actions in which discipline was ordered, and to require background checks on certain persons being licensed for the first time. The act may be known as Lynette's Law. The Board finds the public is best protected through these requirements. The Board already places discipline on the web site and requires criminal background checks for initial licensure by exam. This bill will facilitate the Board's ability to receive background checks via electronic means and allow for quicker processing. Ann Bostic made a motion for the Board to support this bill. Doris Burkey offered the second. The motion carried.

**7. REVIEW AND CONSIDERATION OF  
DAVIS AND ELKINS APPOINTMENT OF  
A NEW DEAN OF THE SCHOOL OF  
NURSING**

7. The request to consider Dr. Teresa Witt, EdD, MSN, RN as the Dean for Davis and Elkins School of Nursing was reviewed. Nancy Atkins made the motion to approve Dr. Witt as the new Dean. The second was offered by Doris Burkey. The motion carried.

**8. REVIEW AND CONSIDERATION OF  
BOARD BSN REPRESENTATIVE TO  
THE CENTER FOR NURSING**

Doris Burkey recused herself from the review and consideration and vote related to this agenda item and left the room.

8. Discussion ensued regarding potential candidates to serve as the Board's BSN representative to The Center for Nursing. Nancy Atkins made a motion to appoint Dr. Brenda Mason, DNP, APRN FNP-BC as the Board's representative. Ann Bostic offered the second. The motion carried.

9. ADJOURN

9. Nancy Atkins made a motion to adjourn. The second was offered by Ann Bostic. The motion carried. The meeting ended at 1:30 PM



Respectfully submitted by

Teresa Ritchie, DNP, APRNFNP-BC

Board Secretary



Minutes prepared by

Laura Skidmore Rhodes

Executive Director