

**WEST VIRGINIA BOARD OF EXAMINERS FOR
REGISTERED PROFESSIONAL NURSES
OCTOBER 21 & 22, 2010**

A Board meeting was held at the office of the West Virginia Board of Examiners for Registered Professional Nurses at 101 Dee Drive, Suite 102, Charleston, WV 25311-1620, on October 21-22, 2010.

BOARD MEMBERS PRESENT:

ROBIN WALTON, EdD, RN, INTERIM PRESIDENT

MARY FRIEL FANNING, MSN, RN

JOYCE EGNOR, MSN, RN

L. ANN BOSTIC, RN, CRNA

JUDY NYSTROM, PUBLIC MEMBER

BOARD MEMBER ABSENT:

TERESA RITCHIE, MSN, RN, FNP

BOARD STAFF PRESENT:

LAURA S. RHODES, MSN, RN, EXECUTIVE DIRECTOR

ALICE R. FAUCETT-CARTER, JD, GENERAL COUNSEL & DIRECTOR OF DISCIPLINE

MARGARET "MARTY" ALSTON, SECRETARY II/ACCOUNTING ASSISTANT II

NOTE: **Agenda items appear in the meeting minutes in the order in which they were addressed by the Board.**

**DAY ONE
OCTOBER 21, 2010**

CALL TO ORDER

The meeting was called to order by Robin Walton, Interim Board President, at 9:50 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

1. The Board reviewed the proposed agenda. A motion was made by Joyce Egnor to approve the agenda as presented. The second was offered by Mary Fanning. Motion carried.

**2. APPROVAL OF MINUTES FOR
JUNE 16 & 17, 2010 REGULAR BOARD
MEETING AND AUGUST 25, 2010
SPECIAL BOARD MEETING**

2. The meeting minutes for the June 16 & 17, 2010 Board meeting were reviewed. A motion was made by Mary Fanning to accept the minutes as submitted. The second was offered by Joyce Egnor. Motion carried.

The meeting minutes for the August 25, 2010 Special Board meeting were reviewed. A motion was made by Mary Fanning to accept the minutes as corrected. The second was offered by Joyce Egnor. Motion carried.

3. OPEN FORUM

3. There were no issues brought forward for the Open Forum. The agenda moved forward.

4. EDUCATION

4.A. COMMITTEE REPORT

- 4.A. The Board reviewed the items listed below on the Consent Agenda. Board Members were provided the opportunity to ask questions regarding items on the consent agenda presented. The following items are recommendations from the Education Committee:

Alderson Broaddus College

To accept the annual report, approve the request for approval of Dawn Scheik as Nursing Department Chair at Alderson-Broaddus and continue monitoring her teaching load, and continue the current accreditation status of the program.

Shepherd University

To accept the Annual Report and continue the current accreditation status.

University of Charleston BSN

To accept all reports, continue current accreditation status and no longer require progress reports

West Liberty State College

To accept the Annual Report and continue the current accreditation status.

West Virginia University (Includes all campuses)

To accept the reports with continued updates from the Glenville campus and continue the current accreditation status of each program. Mary Fanning seconded the motion.

West Virginia Wesleyan College

To accept the Annual Report and continue the current accreditation status.

Wheeling Jesuit University

To accept the Annual Report and continue the current accreditation status with a concern regarding the outdated skills lab and request updates on progress toward updating the skills lab.

Bluefield State College

To accept the Annual Report, approve the curriculum change and continue the current accreditation status.

Blue Ridge Community & Technical College

To accept the Annual Reports, continue the current accreditation status, remove the current teaching restriction for the Director and permit teaching the legal limit of three (3) credit hours, approve the curriculum changes with the directive to delay the implementation of the math pre-requisite until the Fall of 2012, and require reports on the implementation of the curriculum thirty days prior to each Board meeting.

Davis & Elkins College

To accept the Annual Report, to continue submitting progress reports related to the NCLEX Plan of Improvement, and continue current accreditation status.

Fairmont State College

To accept the Annual Report, continue the current accreditation status and to approve with exception Tera Sapp as a faculty member teaching the last four weeks of Fundamentals.

Kanawha Valley Community and Technical College

To accept the Annual Report and require monthly updates on the transition of the program as the college continues the separation from West Virginia State University, continue the current accreditation status, approve the pharmacology course as an elective course, and to approve Tammy Browning as the coordinator of the LPN-RN program, to approve the curriculum changes including changes to the admission requirements and require progress reports on the curriculum implementation prior to the March 2012 Board meeting.

Southern West Virginia Community & Technical College

To accept the Annual Report, update reports and continue the current accreditation status.

University of Charleston Associate Degree in Nursing

To accept the Annual Report, Progress Reports related to NCLEX-RN pass rates and continue the current accreditation status. A second recommendation related to mapping and blueprinting. One course had been completed by the time of the Education Committee Meeting on October 8, 2010. During this meeting the Committee clarified that the Board directive was to complete this process for all courses. UC submitted a letter on October 21, 2010 clarifying that the mapping and blueprinting directive from the Board would be completed by October 27, 2010 and submitted to the Board.

West Virginia Northern Community College

To accept the Annual Report and the On-Site visit report and response from WVNCC, require a follow up report regarding the bylaws, performance evaluations and items of concern from the NLNAC and the Board's On-Site visit and an update on activities related to medication administration in the clinical setting, and continue current accreditation status.

West Virginia University Parkersburg

To accept the Annual Report and continue the current accreditation status.

St Mary's/Marshall University Cooperative

To accept the Annual Report and continue current accreditation status.

Marshall University

To accept the Annual Report and continue current accreditation status.

REVIEW OF STAFF ACTIVITY RELATED TO EDUCATION PARAMETERS

- A. Curriculum Changes**
To ratify the staff activity related to curriculum changes based upon Board Education Parameters.
- B. Faculty Approvals-**
To ratify the staff activity related to faculty approvals based upon Board Education Parameters.

REVIEW OF REQUESTS REGARDING NEW PROGRAMS

- A. ITT**
To accept the reports previously submitted to begin a new nursing program, acknowledge the curriculum revisions that include legal nursing standards, grant permission to begin the program granting provisional approval until the NCLEX-RN results of the first class are known, require updates on implementation of the program prior to the March 2012 Board meeting, and approve Kimberly Damron as the Director of the program.
- B. Salem International University**
To accept the report and direct that a letter acknowledging receipt of the information from The Higher Learning Commission will be sent along with a request to continue to update the Board on program progress.
- C. Eastern West Virginia Community & Technical College**
To accept the updates and site visit report, and request monthly updates during the implementation of the program.

MOUNTAIN STATE UNIVERSITY WEB SITE

Interim Board President Robin Walton brought forward concerns about a letter regarding accreditation posted on the MSU web site which she believes is misleading in that it represents that there is not concern by the Board about the nursing program at MSU when there are several programs having a provisional approval and the entire school is under investigation by the Board for concerns related to the nursing program. The Board directed staff to send a letter to MSU pointing out the Board's concerns and requesting that they change this document on their web site; and, for staff to prepare information to place on the WV RN Board web site regarding MSU.

All recommendations were adopted by unanimous vote of the Board.

5. BOARD FINANCES

5.A. PROPOSED FY 2012 BUDGET

- 5.A.** The Board reviewed and discussed the proposed FY 2012 budget. A motion was made by Mary Fanning to approve the FY 2012 budget. The second was offered by Judy Nystrom. Motion carried.

5.B. FY2010 END OF YEAR REPORT

- 5.B.** The Board reviewed and discussed the FY2010 End of Year Report. A motion was made by Judy Nystrom to approve the FY2010 End of Year Report. The second was offered by Joyce Egnor. Motion carried.

5.C. FY 2011 FIRST QUARTER EXPENDITURES

- 5.C.** The Board reviewed and discussed the FY 2011 First Quarter Expenditures. A motion was made by Joyce Egnor to approve the FY 2011 First Quarter Expenditures. The second was offered by Mary Fanning. Motion carried.

5.D. PURCHASE CARD REPORT

- 5.D.1.** The Board reviewed the Purchase Card Report provided on purchases from June 2010 through August 2010. A motion was made by Mary Fanning to approve the Purchase Card Report. The second was offered by Judy Nystrom. Motion carried.
- 5.D.2.** The Board reviewed the Purchase Card Policies and Procedures. A motion was made by Mary Fanning to approve the Purchase Care Policies and Procedures. The second was offered by Joyce Egnor. Motion carried.

6. REPORT ON MEETING ATTENDED

6.A. COUNCIL ON LICENSING ENFORCEMENT AND REGULATION (CLEAR)

- 6.A.** The CLEAR Conference was attended by Board staff members Leslie Morris and Tonya Hancock. A written report was provided to the Board. A copy is filed herewith.

**6.B. CENTER FOR
NURSING REPORT**

- 6.B.** Laura Rhodes presented a report from the Center provided by Duane Napier, Executive Director for the Center for Nursing. The 3rd Annual Nursing Excellence Awards and Scholarship Gala was held on September 25, 2010 in Morgantown, West Virginia. There was an excellent attendance and (fifty) 50 nurses were recognized. The Nurse Residency Program Model is being tried at Charleston Area Medical Center for the critical care areas. The graduate nurses will be in the program for six (6) months. The program will be evaluated in early January. Carrie Mallory, MSN has been employed as the Associate Director for Recruitment and Retention. The Center is gathering Nursing Workforce Demand Data from hospitals and long term care facilities in West Virginia. The Junior Nurse Academy from middle school students was held at CAMC Teays Valley and Southern Community and Technical College. The Center is planning the Healthy Nurse Conference for April 7-8, 2011 at the Marriott.

**6.C. WV AUDITOR'S
CONFERENCE**

- 6.C.** The WV Auditor's Conference was attended by Board staff members Marty Alston and Tonya Hancock. A written report was provided to the Board. A copy is filed herewith.

**6.D. NCSBN SCIENTIFIC
SYMPOSIUM**

- 6.D.** The Executive Director provided the Board with a report on the NCSBN Scientific Symposium.

**6.E. NCSBN NCLEX
INVITATIONAL**

- 6.E.** The NCSBN NCLEX Invitational was attended by Board member, Mary Fanning and Board staff Lauranna Ware. A written report was provided to the Board. A copy is filed herewith.

**6.F. WV CONTROLLED
SUBSTANCE
ADVISORY BOARD**

- 6.F.** There was no for report for this meeting at this time.

**7. MEETINGS TO ATTEND AND
SELECTION OF
REPRESENTATIVES**

**7.A. FARB ANNUAL
MEETING
JANUARY 28 -30, 2011**

7.A. The Federation of Associations of Regulatory Boards (FARB) annual meeting is scheduled for January 29-31, 2010. Mary Fanning made the motion to approve seven (7) Board Members/Board Staff to attend. The second was offered by Joyce Egnor. Motion carried.

**7.B. AUDITOR'S OFFICE
ANNUAL TRAINING
SEMINAR &
ASSOCIATION OF
LICENSING BOARDS**

7.B. The Executive Director explained that the West Virginia Auditor's Office provides a annual mandatory training seminar for Board members and Executive Staff. Several members showed interest in attending this meeting.

**7.C. NCLEX APRN
SUMMIT JANUARY
12 -13, 2011,
CHICAGO, IL**

7.C. The NCLEX APRN Summit is scheduled for January 12-13, 2011. The Executive Director explained that NCSBN will provide funding for three (3) individuals to attend this meeting. (1) Executive Director; (2) Board Attorney; and (3) APRN Staff.

**7.D. INSTITUTE OF
REGULATORY
EXCELLENCE,
FEBRUARY 8-10,
2011, ORLANDO FL**

7.D. The NCSBN Institute of Regulatory Excellence meeting is scheduled for February 8-10, 2011. Mary Fanning made the motion to approve four (4) Board Members/Board Staff to attend. The second was offered by Joyce Egnor. Motion carried.

**7.E. NCSBN MIDYEAR
MEETING, MARCH
15-16, 2011**

- 7.E. The National Council of State Boards of Nursing (NCSBN) Mid Year meeting is scheduled for March 15-16, 2011. Mary Fanning made the motion to approve four (4) Board Members/Board Staff to attend. The second was offered by Joyce Egnor. Motion carried.

**7.F. CITIZENS
ADVOCACY CENTER**

- 7.F. The Citizens Advocacy Center (CAC) annual meeting is scheduled for November 11-12, 2010. Mary Fanning made the motion to approve one (1) Board Staff to attend. The second was offered by Joyce Egnor. Motion carried.

**8. DIALYSIS TECHNICIAN
UPDATE**

8. An update on the Dialysis Technician activities was provided by Laura Rhodes, Executive Director.

9. RENEWAL UPDATE

9. The Executive Director provided the Board with an update regarding the progress of this year's renewals. She reported that everything was on schedule and that Board staff have also contacted the Associated Press and Radio Station regarding public service announcements reminding licensees to renew in time.

**BREAK
11:00 - 11:15**

**10. NATIONAL COUNCIL OF
STATE BOARDS OF
NURSING (NCSBN)**

**10.A. DELEGATE
ASSEMBLY AND
ANNUAL MEETING
REPORT**

- 10.A.** The Executive Director provided a report of the activities occurring during the Delegate Assembly and the Annual Meeting. Actions taken may be found in the NCSBN website @ www.ncsbn.org Past employee, Cyndy Haynes attended this meeting which was held in Portland, Oregon. No action was taken at this time.

10.B. NURSYS

- 10.B.** The Executive Director provided the Board with an update regarding the Board's request to continue to work with NCSBN to accomplish the sharing of our data with relinquishing the revenue we collect from verifications. No action was taken at this time.

**11. ANESTHESIA AND
ANESTHETICS: THE ROLE
OF THE RN**

- 11.** This item was scheduled to be discussed on Day Two of the meeting when a conference call was scheduled for interested parties to be able to join in the discussion.

**12. ACCEPTING AND
REJECTING AN
ASSIGNMENT DOCUMENT
UPDATE**

- 12.** A report was provided by Joyce Egnor regarding the updated language to the document Accepting and Rejecting an Assignment. Joyce Egnor made a motion the Board approve the revised version of the document. The second was offered by Mary Fanning. Motion carried.

13. LEGISLATIVE ISSUES

13.A. MEDICATION AIDES IN THE NURSING HOME

- 13.A.** The Board was provided with a copy of the Medication Assistive Persons Proposed Law and Rule. A discussion ensued. Mary Fanning made a motion to move forward with the Medication Aide Proposed Law and Rule implementation. The second was offered by Joyce Egnor. Motion carried.

**The Board recessed for lunch at 12:15 p.m.
The Board reconvened at 1:20 p.m.**

13.B. CRIMINAL BACKGROUND CHECKS

- 13.B.** Ann Bostic made a motion to draft the language to change the WV Code to include the Board's requirement for Federal Background Checks. The second was offered by Judy Nystrom. Motion carried.

13.C. EMS PROPOSED RULE

- 13.C.** The Board was provided with a copy of the Emergency Medical Services Proposed Rule. The Executive Director provided information regarding the document. The Board directed staff to observe the rule as it continues through the process and continue to provide updates.

13.E. MEDICAL IMAGING & RADIATION THERAPY LAW RELATED TO ULTRASOUND

- 13.E.** The Board was provided with a copy of the Article 23 the Medical Imaging and Radiation Therapy Law related to ultrasound. A discussion ensued. Joyce Egnor made a motion to direct staff to support the document with the recommended language. The second was offered by Ann Bostic. Motion carried.

EXECUTIVE SESSION

Robin Walton, Interim Board President, announced that in accordance with Chapter 6, Section 4(2)(A), of the Code of West Virginia, Executive Sessions may be held by governmental agencies to consider matters. All motions arising from the discussion during the Executive Session shall be made and voted on in an open meeting immediately following an Executive Session.

A motion was made by Mary Fanning that the Board recess and reconvene in an Executive Session to discuss the hearing transcript for Gregory Hoffman. The second was offered by Joyce Egnor. Motion carried. The Board, having received the transcript at least ten (10) days in advance of the meeting discussed the transcript and Hearing Officer Findings of Fact, Conclusions of Law and Recommendation regarding the matter of Paul Caswell.

PUBLIC SESSION

A motion was made by Judy Nystrom to reconvene the regular meeting to make motions related to discussion during the Executive Session regarding the hearing of the West Virginia Board of Examiners for Registered Professional Nurses vs. Paul Caswell. The motion was seconded by Mary Fanning. Motion Carried.

MOTIONS RELATED TO EXECUTIVE SESSION REGARDING REVIEW OF HEARING TRANSCRIPT

Judy Nystrom made a motion to accept the Hearing Officer's Findings of Fact and the Conclusions of Law and ORDERS to place the license on PROBATION for a period of one (1) year. The hearing costs and the appropriate fines and administrative costs shall be assessed. The terms of probation along with the standard consent language are as follows:

1. Paul Caswell shall not be assigned to deliver care to pediatric patients.
2. He shall not work in an autonomous or supervisory nursing position. He shall work only under the direct supervision of a registered professional nurse in a structured setting throughout the term of his probation. Such supervising registered professional nurse must, at the time of said supervision, hold an active, unencumbered West Virginia license.
3. He shall inform the Board in writing within ten (10) days of the date he resumes the practice of registered professional nursing, or any employment in the health care field, in the State of West Virginia and shall include the name, address, and telephone number of his employer. He shall provide in writing the name of his immediate registered professional nurse supervisor. He shall inform the Board of any interruption in nursing practice or change in employment within ten (10) days of such interruption or change.
4. He shall immediately inform his nursing employer, any prospective nursing employer, and the director of any nursing education program in which he enrolls or teaches, that the Board has placed his license on probation, and shall provide a complete copy of this ORDER to his

employer(s). The Board may provide his employer(s) with a copy of this ORDER and may communicate with his employer(s).

5. He shall, within ten (10) days of employment or continuation of practice, cause his employer or immediate registered professional nurse supervisor to notify the Board, in writing, of the employer's or supervisor's receipt of a copy of this ORDER. He shall further cause his employer or supervisor to submit monthly reports to the Board describing his job performance, attendance, attitude, and other work behaviors during the first year of probation and if his progress is satisfactory to the Board, quarterly thereafter.
6. He shall submit documentation on the successful completion of an Anger/Stress Management program approved by the Board prior to assuming practice as a Registered Nurse. He shall also submit documentation of fifteen (15) contact hours of continuing education awarded each year during the time his license is on probation in addition to those already required by law. Said CE must be about the topic of Anger/Stress Management.
7. He shall report in person for an appointment with the Board staff upon request.
8. He shall execute a release to permit the Board to obtain medical or other health care records, which may be requested at any time while his license is on probation, regarding his physical or mental health and any treatment rendered.
9. He shall annually submit to the Board a written personal statement regarding his progress. The statement shall be due at the end of the first year and in each subsequent year during the month in which this ORDER is accepted by the Board.

The motion was seconded by Joyce Egnor. Motion carried.

A motion was made by Judy Nystrom to have Pamela Alderman to continue to represent the Board with the West Virginia Center for Nursing. The second was offered by Mary Fanning. Motion carried.

APPOINTMENT OF COMMITTEE MEMBERS

The Interim Board President recommended the following committee assignments:

Education Committee:

Mary Fanning, Chair
Ann Bostic
Joyce Egnor

The assignments were approved by consensus.

RECESS MEETING

Mary Fanning made a motion to recess the meeting at 2:45 p.m.. The second was offered by Judy Nystrom. Motion carried.

**RECONVENE DAY TWO
OCTOBER 22, 2010**

CALL TO ORDER

The meeting was called to order by Robin Walton at 9:15 a.m..

QUORUM

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

**11. ANESTHESIA AND
ANESTHETICS: THE ROLE OF THE RN**

11. A conference call was scheduled for this time for stakeholders and those interested to join the discussion and express their concerns regarding the Position Statement issued by the Board. Several parties joined. A discussion ensued. Ann Bostic made a motion to revise the Position Statement as soon as possible such that it permits Rapid Sequence Intubation and addresses administration of anesthetics to a person with a secured airway (intubated and ventilated). The second was offered by Joyce Egnor. Motion carried.

**14. PETITIONER FOR REINSTATEMENT (CLOSED
TO PUBLIC UNLESS REQUESTED
OTHERWISE BY PETITIONER)**

EXECUTIVE SESSION

Robin Walton, Interim Board President, announced that in accordance with Chapter 6, Section 4(2)(A), of the Code of West Virginia, Executive Sessions may be held by governmental agencies to consider matters. All motions arising from the discussion during the Executive Session shall be made and voted on in an open meeting immediately following an Executive Session.

A motion was made by Mary Fanning that the Board recess and reconvene in an Executive Session by the request of the petitioner for reinstatement. The seconded was offered by Joyce Egnor. Motion carried.

Mary Fanning recused herself and left the room during the following discussion.

PUBLIC SESSION

A motion was made by Judy Nystrom to reconvene the regular meeting to make motions related to discussion during the Executive Session regarding the petitioner for reinstatement. The motion was seconded by Joyce Egnor. Motion Carried.

PUBLIC SESSION FOR MOTIONS RELATED TO EXECUTIVE SESSION

A. RUSSELL HOLBERT

- 14.A. A motion was made by Judy Nystrom to reinstate Mr. Holbert's license and place the license on PROBATION for a period of three (3) years or until his criminal probation has been completed which ever is longer. The Board ORDERS Mr. Holbert to pay the appropriate fines and administrative costs. The terms of probation are as follows:
1. Mr. Holbert shall not work at a Nursing Registry, Temporary Nursing Agency, Home Health Care Agency, or as a Private Duty Nurse.
 2. He shall not work in an autonomous or supervisory nursing position. He shall work only under the direct supervision of a registered professional nurse in a structured setting throughout the term of his probation. Such supervising registered professional nurse must, at the time of said supervision, hold an active, unencumbered West Virginia license.
 3. He shall inform the Board in writing within ten (10) days of the date he resumes the practice of registered professional nursing, or any employment in the health care field, in the State of West Virginia and shall include the name, address, and telephone number of his employer. He shall provide in writing the name of his immediate registered professional nurse supervisor. He shall inform the Board of any interruption in nursing practice or change in employment within ten (10) days of such interruption or change.
 4. He shall immediately inform his nursing employer, any prospective nursing employer, and the director of any nursing education program in which he enrolls or teaches, that the Board has placed his license on probation, and shall provide a complete copy of this agreement to his employer(s). The Board may provide his employer(s) with a copy of this agreement and may communicate with his employer(s).
 5. He shall, within ten (10) days of employment or continuation of practice, cause his employer or immediate registered professional nurse supervisor to notify the Board, in writing, of the employer's or supervisor's receipt of a copy of this agreement. He shall further cause his employer or supervisor to submit monthly reports to the Board describing his job performance, attendance, attitude, and other work behaviors during the first year of probation and if his progress is satisfactory to the Board, quarterly thereafter.

6. He shall submit documentation of fifteen (15) contact hours of continuing education awarded each year during the time his license is on probation in addition to those already required by law.
7. He shall report in person for an appointment with the Board staff upon request.
8. He shall not handle nor administer narcotic or psycho tropic medications, nor have access to locked or other storage areas in which such medications are kept. He shall notify his employer of this restriction on his practice.
9. He shall submit to unannounced, witnessed drug-screening tests. Said tests shall be on demand and to the specifications of the Board and at his expense. Receipt of a positive drug screen is deemed to be a violation of this Consent Agreement, and shall result in immediate suspension of the probationary license. Eating products containing poppy seeds will not constitute as an accepted reason for having a positive screen for opioids.
10. He shall abstain from the use of alcohol and limit his use of drugs to those prescribed for a legitimate purpose by a physician, dentist or nurse practitioner duly licensed in the State of West Virginia. He shall provide a copy of this Agreement to any prescribing physician, dentist or nurse practitioner. He shall cause his physician, dentist or nurse practitioner to notify the Board in writing of any medications/drugs prescribed and the condition for which said drug(s) has been prescribed. He agrees that, if he accepts a prescription for narcotic or psycho tropic drugs, the Board may impose additional probationary terms.
11. He shall coordinate any health care services he requires with one physician or registered nurse practitioner, who shall be informed of any services or prescriptions sought or obtained by any physician, dentist or nurse practitioner. He shall provide this individual, who serves as his point of contact for health care needs, with a copy of this agreement.
12. He shall execute a release to permit the Board to obtain medical or other health care records, which may be requested at any time while his license is on probation, regarding his physical or mental health and any treatment rendered.
13. He shall annually submit to the Board a written personal statement regarding his progress. The statement shall be due at the end of the first year and in each subsequent year during the month in which this agreement is accepted by the Board.
14. He shall participate in a structured aftercare program, with a certified addictions counselor approved by the Board. The treating certified addictions counselor shall make a monthly report to the Board about their progress and his compliance with the aftercare program. He shall visit their approved treatment provider at least one (1) times per month during the term of this agreement. This requirement may be modified upon request to the Board by the certified addictions counselor.
15. He shall submit or have submitted to the Board evidence of participation in 12-Step meetings. He shall attend at least three (3) 12-Step meetings per week. Written evidence of

participation in meetings shall be submitted to the Board on or before the fifth day of each month.

The second was offered by Mary Fanning. Motion carried.

15. DISCIPLINARY REVIEW REPORT

15.A. PRESENTATION OF CASES

Leslie Morris, Discipline Assistant provided the Board with the Disciplinary Review Committee (DRC) report for June 19, 2010 through October 22, 2010. A total of fifty (50) cases were reviewed. Judy Nystrom made the motion to ratify the report as submitted. Joyce Egnor seconded the motion. The motion carried. A copy of the report is filed herewith.

18. STAFF EVALUATIONS/PERSONNEL MATTERS

EXECUTIVE SESSION

Robin Walton, Board President, announced that in accordance with Chapter 6, Section 4(2)(A), of the Code of West Virginia, Executive Sessions may be held by governmental agencies to discuss certain matters. All motions arising from the discussion during the Executive Session shall be made and voted on in an open meeting immediately following an Executive Session.

A motion was made by Mary Fanning that the Board recess and reconvene in an Executive Session to discuss Executive Staff Evaluations and Compensation. The second was offered by Judy Nystrom. Motion carried. The Board reconvened in Executive Session.

B. RECONVENE PUBLIC SESSION

A motion was made by Judy Nystrom to reconvene the regular meeting to make motions related to Executive Session regarding evaluations and compensation for Executive Staff. The second was offered by Joyce Egnor. Motion carried. The Board reconvened in Public Session.

MOTIONS RELATED TO EXECUTIVE SESSION

A. STAFF EVALUATION & COMPENSATION

A motion was made by Joyce Egnor to accept the evaluations for Board Staff as submitted and to approve a salary increase in the amount of 5%. The second was offered by Judy Nystrom. Motion carried.

ELECTION OF OFFICERS

PRESIDENT

The floor was open for nominations for Board President. Judy Nystrom made a motion to elect Robin Walton for Board President. The second was offered by Mary Fanning. Motion carried. Dr. Walton was elected as President.

SECRETARY

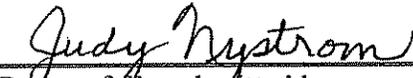
The floor was open for nominations for Board Secretary. Mary Fanning made a motion to elect Judy Nystrom for Board Secretary. The second was offered by Joyce Egnor. Motion carried. Ms. Nystrom was elected as Secretary.

ADJOURN

The motion to adjourn the meeting was made by Mary Fanning at 12:15 pm. The second was offered by Ann Bostic. Motion carried.



Minutes taken and prepared by
Margaret "Marty" Alston
Secretary II/Accounting Assistant II



Respectfully submitted by
Judy Nystrom
Board Secretary