

**WEST VIRGINIA BOARD OF EXAMINERS FOR
REGISTERED PROFESSIONAL NURSES
June 10 & 11, 2014**

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 June 10 & 11, 2014.

BOARD MEMBERS PRESENT:

ROBIN WALTON, EdD, MSN, APRN FNP-BC, PRESIDENT

MARY FRIEL FANNING, DNP, RN, SECRETARY

JOYCE EGNOR, MSN, RN

JUDY NYSTROM, PUBLIC MEMBER

DR. MARY (LIBBY) FARMER, PhD, PUBLIC MEMBER

BOARD MEMBERS ABSENT:

TERESA RITCHIE, DNP, APRN FNP-BC

L. ANN BOSTIC, DNP, APRN CRNA

BOARD STAFF PRESENT:

LAURA S. RHODES, MSN, RN, EXECUTIVE DIRECTOR
(Absent Day Two)

ALICE R. FAUCETT, JD, GENERAL COUNSEL & DIRECTOR OF DISCIPLINE
(Absent Day One)

ROBIN A. LEWIS, EdD, MSN, APRN FNP-BC, ASSOCIATE DIRECTOR

MARGARET "MARTY" ALSTON, EXECUTIVE ASSISTANT

JUNE 10, 2014

CALL TO ORDER

The meeting was called to order by Dr. Robin Walton, Board President at 9:10 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 AND REVIEW AND CONSIDERATION OF THE CONSENT AGENDA

1. Joyce Egnor made a motion to accept the agenda as proposed. The second was offered by Judy Nystrom. The motion carried. Libby Farmer made a motion to accept the Consent Agenda as submitted. The second was offered by Joyce Egnor. The motion carried.

2. APPROVAL OF MEETING MINUTES FOR MARCH 20, 2014

2. The March 20, 2014 Board Meeting minutes were reviewed. Mary Fanning made a motion to approve the meeting minutes as written. The second was offered by Judy Nystrom. The motion carried.

3. OPEN FORUM

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

4. MISSION/GOALS - REVIEW AND CONSIDERATION

4. The Board reviewed the Mission, Goals and Objectives. Mary Fanning made the motion to reaffirm the Board's Mission, Goals and Objectives. The second was offered by Joyce Egnor. The motion carried.

5. CONFLICT OF INTEREST STATEMENT REVIEW AND CONSIDERATION

5. Libby Farmer made the motion to reaffirm the Conflict of Interest Statement as written. The second was offered by Joyce Egnor. The motion carried. The Board Conflict of Interest

Statement was signed by the Board members present.

**6. BOARD CODE OF CONDUCT -
REVIEW AND CONSIDERATION**

6. Joyce Egnor made the motion to reaffirm the Code of Conduct as written. The second was offered by Libby Farmer. The motion carried. The Code of Conduct was signed by the Board members present.

**7. REVIEW AND CONSIDERATION OF THE
JOINT COMMITTEE
GUIDELINES RELATED TO EMERGENCY
MEDICAL SERVICES
PERSONNEL IN HOSPITAL EMERGENCY
DEPARTMENTS**

7. The guidelines were reviewed and discussed. Joyce Egnor made a motion for the Board to approve the proposed guidelines; to modify the Board's Position Statement regarding EMS Personnel in the Emergency Department and modify related portions of the document Determining Scope of Practice and Delegation Decision; and, to present the decision in the Joint RN/LPN meeting. The second was offered by Libby Farmer. The motion carried.

**8. REVIEW AND CONSIDERATION OF
LEGISLATIVE RULE
WV64CSR60 RELATED TO MEDICATION
ADMINISTRATION AND
PERFORMANCE OF HEALTH
MAINTENANCE TASKS BY
UNLICENSED PERSONNEL**

8. The Board reviewed the proposed rule. Discussion ensued. Libby Farmer made a motion to approve the proposed rule as written and note the Board's agreement with it. The second was offered by Joyce Egnor. The motion carried.

**9. REVIEW AND CONSIDERATION OF WV
RESTORE UPDATE**

9. The Board reviewed the Annual Report for WV Restore. WV Restore will hold a conference September 24 - 25, 2014 in Charleston, WV. The Board, by consensus, approved attendance by all Board members and staff available to attend.

10. REVIEW AND CONSIDERATION OF PERFORMANCE EVALUATION AND RESEARCH DIVISION (PERD) ACTIVITIES

A. AUDIT RELATED TO WVRNBOARD

10.A. The Executive Director provided the Board with an overview of the ongoing PERD review. For information only.

B. ACTIVITY RELATED TO ADVANCE PRACTICE REGISTERED NURSE SCOPE OF PRACTICE

10.B. The Executive Director provided the Board with an overview of the ongoing PERD review. For information only.

11. NCSBN

A. REVIEW AND CONSIDERATION OF LICENSURE MODELS AS THEY RELATE TO TELEHEALTH

11.A. The Board reviewed current information related to the National Council of State Boards of Nursing work regarding licensure and telehealth. The goal is to determine what licensure model will best protect the public and support telehealth. Currently the thought is that changes to the Nurse Licensure Compact (NLC) will make that model more appealing to boards of nursing not currently using that model. With all boards part of the NLC barriers related to interstate licensure and telehealth essentially are removed. The discussion is ongoing. For information only.

B. REVIEW AND CONSIDERATION OF MATTERS RELATED TO DELEGATE ASSEMBLY (DA)

1. SLATE OF CANDIDATES

11.B.1. The slate of candidates was reviewed by the Board. For information only.

**2. BOARD OF DIRECTORS
RECOMMENDATIONS TO
DELEGATE ASSEMBLY**

11.B.2. The recommendations were reviewed by the Board. Discussion ensued. For information only.

**3. SELECTION OF
REPRESENTATIVES TO
DELEGATE ASSEMBLY**

11.B.3. Mary Fanning made a motion to fund 5 representatives to the Delegate Assembly. NCSBN funds 2 Delegates to the meeting. The second was offered by Libby Farmer. The motion carried.

12. DIALYSIS TECHNICIAN REPORT

12. The Dialysis Technician Report was approved through the Consent Agenda.

**13. REVIEW AND CONSIDERATION OF THE
REPORT OF THE SAFETY COMMITTEE**

13. The Safety Committee report was approved through the Consent Agenda.

14. REPORT ON MEETINGS ATTENDED

14. The meeting reports were approved through the Consent Agenda.

15. BUDGET

**15.A. REVIEW AND CONSIDERATION OF
FY2014 THIRD QUARTER
EXPENDITURES**

15.A. The FY2014 Third Quarter Expenditures Report was approved as part of the Consent Agenda.

**15.B. REVIEW AND CONSIDERATION OF
FY2014 4TH QTR EXPENDITURES
TO DATE**

- 15.B.** The FY2014 Fourth Quarter Expenditures To Date Report was approved as part of the Consent Agenda

**15.C. REVIEW AND CONSIDERATION OF
FY2015 EXPENDITURE SCHEDULE**

- 15.C.** The Expenditure Schedule for FY2015 was approved as part of the Consent Agenda.

**15.D. REVIEW AND CONSIDERATION OF
PURCHASE CARD REPORT**

- 15.D.** The Purchase Card Report from January 2014 through February 2014 was approved as part of the Consent Agenda.

**16. REVIEW AND CONSIDERATION
AND SELECTION OF
REPRESENTATIVES FOR
MEETINGS**

**16.A. COUNSEL ON LICENSURE
ENFORCEMENT AND
REGULATION (CLEAR), ANNUAL
MEETING**

- 16.A.** Up to five (5) Board and/or Staff members were approved to attend the CLEAR annual meeting scheduled to be held on September 11-13, 2014 in New Orleans, LA as part of the Consent Agenda.

16.B. NCLEX-RN INVITATIONAL

- 16.B.** Two (2) Board and/or Staff members were approved to attend the NCLEX-RN Invitational scheduled to be held on September 29, 2014 in Charlotte, NC, as part of the Consent Agenda.

**16.C. 2014 INTERNATIONAL NURSE
REGULATOR COLLABORATIVE
SYMPOSIUM**

- 16.C.** Two (2) Board and/or Staff members were approved to attend the NCLEX-RN Invitational scheduled to be held on October 28-30, 2014 in Chicago, IL as part of the Consent Agenda.

16.D. 22ND ANNUAL FARB

- 16.D.** Two (2) Board and/or Staff members were approved to attend the 22nd Annual FARB Regulatory Law Seminar scheduled to be held on October 3-5, 2014 in Annapolis, MD as part of the Consent Agenda.

**16.E. IntNSA HEALTHCARE REFORM
AND ITS IMPACT ON ADDICTIONS
NURSING NAVIGATING CHANGE
THROUGH THE RAPIDS**

- 16.E.** Three (3) Board and/or Staff members were approved to attend the NCLEX-RN Invitational scheduled to be held on October 15-16, 2014 in Washington, DC as part of the Consent Agenda.

**16.F. ASSOCIATION OF ADDICTION
SPECIALIST 2014 CELEBRATION
2014 ANNUAL CONFERENCE & 40TH
ANNIVERSARY CELEBRATION**

- 16.F.** Three (3) Board and/or Staff members were approved to attend the Association of Addiction Specialist 2014 Celebration 2014 Annual Conference & 40th Anniversary scheduled to be held on September 26 thru October 1, 2014, in Seattle, WA as part of the Consent Agenda.

17. ELECTIONS OF OFFICERS

17.A. PRESIDENT

- 17.A.** The floor was open for nominations for Board President. Judy Nystrom made a motion to re-elect Dr. Robin Walton for Board President. The second was offered by Dr. Libby Farmer. Motion carried. Dr. Robin Walton was re-elected as Board President.

17.B. SECRETARY

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

18. APPOINTMENT OF COMMITTEE MEMBERS

18.A. DISCIPLINE

- 18.A.** Robin Walton, Board President, continued the following appointments to the Disciplinary Review Committee: Judy Nystrom, Joyce Egnor, and Teresa Ritchie.

18.B. EDUCATION

- 18.B.** Robin Walton, Board President, continued the following appointments to the Education Committee: Mary Fanning, Dr. Libby Farmer, and Ann Bostic.

18.C. DIALYSIS ADVISORY COMMITTEE

- 18.C.** Robin Walton, Board President, continued the following appointment to the Dialysis Advisory Committee: Teresa Ritchie.

LUNCH 11:45 pm - 12:35 pm

21. REVIEW AND DISCUSS JOINT MEETING AGENDA

- 21.** The Board reviewed and discussed the Agenda for the Joint LPN/RN meeting scheduled for June 11, 2014. A discussion ensued regarding possible revisions to the "Purple Book".

19.J. MISCELLANEOUS

- 19.J.** There were no items for this topic.

RECESS MEETING

12:50 PM

A motion was made by Joyce Egnor to recess the meeting at 12:50 PM. The second was offered by Libby Farmer. The motion carried.

**RECONVENE DAY TWO
JUNE 14, 2014**

CALL TO ORDER

The meeting was called to order by Robin Walton at 9:10 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.

REVIEW OF AGENDA

The agenda was reviewed. A motion was made by Judy Nystrom to amend the agenda by including the review and consideration of a new policy adopted by Breckinridge School of Nursing. The second was offered by Mary Fanning. The motion carried.

19. EDUCATION COMMITTEE

**A. REVIEW AND CONSIDERATION OF
COMMITTEE REPORT AND
RECOMMENDATIONS**

19.A. The Education Committee Recommendations were approved through the Consent Agenda and are attached herewith.

**B. REVIEW AND CONSIDERATION OF
SALEM INTERNATIONAL
UNIVERSITY**

**1. NCLEX-RN PROGRESS
REPORT**

19.B.1. The Associate Director provided an update regarding NCLEX-RN. The pass rate on the exam has not been met by any cohort to date and the overall pass rate does not meet the standard.

2. REGIONAL ACCREDITATION CORRESPONDENCE REPORT

19.B.2. The Board heard an update from representatives from Salem regarding the regional accreditation correspondence from the Higher Learning Commission indicating concerns with the University. Discussion ensued. The University offered to send updates on the progress of this review and the Board acknowledged its desire for such reports to be submitted.

3. DEAN RESIGNATION

19.B.3. Dr. Shirley Moritson resigned effective May 7, 2014.

4. INTERIM DEAN APPROVAL REQUEST

19.B.4. Cheryl Michaels was previously approved as the Interim Director. The program is now requesting approval for her as the Interim Dean. Discussion ensued regarding number of current faculty. Salem's President, Dan Nelant, offered support for Ms. Michaels and shared with the Board that a national search would ensue to fill the Dean position. Dr. Pamela Alderman has been hired by Salem to be a consultant and support for Ms. Michaels. Libby Farmer made the motion to approve Cheryl Michaels as the Interim Dean. The second was offered by Joyce Egnor. The motion carried.

5. CURRICULUM CHANGE AND ENROLLMENT REQUEST

19.B.5. The curriculum change and admissions request was presented by the Associate Director. Discussion ensued. Salem's President, Dan Nelant, assured the Board that all faculty positions would be filled and shared his personal commitment toward the program's success. Discussion ensued.

The admission request was discussed. The program will meet the Board's student to faculty clinical ratio of 8 to 1 with plans to hire adjunct faculty for clinical instruction.

Mary Fanning made the motion to approve the proposed curriculum change and require updates be submitted to the Board 30 days in advance of each Education Committee meeting. The second was offered by Libby Farmer. The motion carried.

The enrollment request was reviewed and considered. Discussion ensued with input from the University representatives who provided assurance that all aspects of the law and rule would be followed as well as the requirements for admission adopted by the University. Mary Fanning made a motion to allow Salem to admit one (1) cohort of 24 students to start September 2014 if staffing is in place by August 31, 2014; and to require reports be submitted regarding NCLEX-RN licensure pass rates, Higher Learning Commission correspondences and curriculum implementation 30 days prior to each Education Committee meeting, and for staff to conduct a site visit. The second was offered by Libby Farmer. The motion carried.

19.C. REVIEW AND CONSIDERATION OF NEW PROGRAM

1. UNIVERSITY OF CHARLESTON - BECKLEY

A. APPLICATION

- 19.C.1.A.** Duane Napier, Interim Director for the Associate Degree Program at the University of Charleston - Beckley addressed the Board and answered questions regarding the proposed program. Discussion ensued. Mary Fanning made a motion to provisionally approve the University of Charleston Associate Degree Program at Beckley contingent upon a successful on-site visit to assure legal requirements are met and in place; and, for curriculum implementation reports to be submitted 30 days prior to each Education Committee meeting. The second was offered by Joyce Egnor. The motion carried.

B. DIRECTOR APPROVAL

- 19.C.1.B.** The Board considered the request for Duane Napier to be appointed as the Director of the University of Charleston - Beckley Associate Degree in Nursing Program. Discussion ensued. Joyce Egnor made a motion to approve the appointment of Mr. Napier as the Director of the Program. The second was offered by Libby Farmer. The motion carried.

19.D. REVIEW AND CONSIDERATION OF EASTERN COMMUNITY &

**TECHNICAL COLLEGE
ENROLLMENT INCREASE
REQUEST**

- 19.D.** The Board considered the enrollment increase request. Discussion ensued. Eleanor Berg, current program Director, and Robert Eagle, Academic Dean were present to answer questions from the Board. The Board requested a copy of any and all of the written communications to students from the program regarding admission. No other action was taken regarding this item.

**19.E. REVIEW AND CONSIDERATION OF
WEST VIRGINIA JUNIOR COLLEGE
ADMISSION REQUEST**

- 19.E.** The Board reviewed the request related to admissions. Discussion ensued. The Board requested that the program provide the Board with all communications related to admission of students. No action was taken regarding this matter.

**19.F. REVIEW AND CONSIDERATION OF
WEST VIRGINIA WESLEYAN
COLLEGE**

- 19.F.2.** The Board reviewed the request regarding enrollment. Discussion ensued. This topic was held over to the second meeting day. The second meeting day, discussion ensued regarding changes that have been made and addressed the fact that students have already been admitted for the fall semester. A copy of the admission letter was requested. This item was delayed until the letter could be produced. Upon production of the letter the Board reviewed it and discussion ensued. Joyce Egnor made a motion to approve that the 57 students already admitted may progress in the program noting the program is approved for 50, and the program is limited to the admission of 16 students for the admission class beginning in 2015, the program is required to keep the same number of faculty to allow for development of the program, to continue to have the NCLEX-RN report, curriculum change report and transition updates submitted 30 days in advance to each Education Committee meeting. The second was offered by Libby Farmer. The motion carried.

**1. REGIONAL
ACCREDITATION**

- 19.F.1.** The Board reviewed the correspondence from the Higher Education Policy Commission regarding concerns related to the NCLEX-RN pass rate at West Virginia Wesleyan. No action taken. For information only.

**2. ENROLLMENT INCREASE
REQUEST**

- 19.F.2.** The Board reviewed the request regarding enrollment. Discussion ensued. This topic was held over to the second meeting day. The second meeting day, discussion ensued regarding changes that have been made and addressed the fact that students have already been admitted for the fall semester. A copy of any and all admission letters was requested. This item was delayed until the letter could be produced. Upon production of the letter the Board reviewed it and discussion ensued. Joyce Egnor made a motion to approve that the 57 students already admitted may progress in the program and the program is limited to the admission of 16 students for the admission class beginning in 2015, the program is required to keep the same number of faculty to allow for development of the program, to continue to have the NCLEX-RN report, curriculum change report and transition updates submitted 30 days in advance to each Education Committee meeting. The second was offered by Libby Farmer. The motion carried.

3. DIRECTOR APPROVAL

- 19.F.3.** The Board reviewed the request regarding appointment of Janet Teachout Withersty, DNP, RN as the Director of the Wesleyan BSN program and Dr. Light as the Dean of the Nursing Program. Mary Fanning made a motion to approve the Dean and Director appointment. Libby Farmer offered the second. The motion carried.

**19.G. REVIEW AND CONSIDERATION OF
BLUEFIELD STATE COLLEGE**

1. SITE VISIT REPORT

- 19.G.1.** The Board reviewed the on-site visit report. Discussion ensued. Mary Fanning made the motion to approve the on-site visit report noting the concerns identified in the report. The second was offered by Libby Farmer. The motion carried.

**2. ANNUAL REVIEW AND
APPROVAL
DETERMINATION**

- 19.G.2.** The Board considered the Annual Approval of the program. Mary Fanning made a motion to continue provisional accreditation for the Bluefield State College, Bluefield Campus traditional Associate Degree Nursing (ADN) program and full accreditation for the Bluefield Campus Licensed Practical Nursing to Associate Degree Nursing (LPN-AND) program, Beckley campus traditional ADN program, and Beckley campus LPN-AND program through March 31, 2015 and to approve the enrollment increase for the LPN to AND Program; approved the NCLEX-RN progress report, program report and

requests an NCLEX-RN program report, curriculum content review including student learning outcome assessment, trending and analysis; and test review including item analysis using course management software or scantron for the Bluefield campus traditional associate degree nursing program submitted to the Board 30 days prior to each Education Committee Meeting. The second was offered by Libby Farmer. The motion carried.

19.H. REVIEW AND CONSIDERATION OF WHEELING JESUIT UNIVERSITY

1. CURRICULUM CHANGE REQUEST

- 19.H.1.** The Board reviewed the curriculum change request. The Board phoned the Director who was not available. The item was delayed. Upon return to this agenda item the Director was contacted by phone to answer the Board's questions regarding the curriculum changes. During the exchange the Board verified that the Director is no longer teaching. The Board requested additional information regarding the curriculum change request, and requested rationale and clarification of the number and allotment of hours, sequencing, course descriptions, and student learning outcomes; and, requested NCLEX-RN progress reports inclusive of the curriculum content review including student learning outcome assessment, trending and analysis; test review including item analysis, and chair leadership development reports 30 days prior to the October 6, 2014 Education Committee meeting.

2. CHAIR LEADERSHIP DEVELOPMENT REPORT

- 19.H.2.** The Board reviewed the Chair Leadership Development Report. Libby Farmer made a motion to approve the report and to continue submitting reports to include activity with accreditation agencies regarding leadership as well as identifying a mentor to assist her in her transition to the new role. The second was offered by Joyce Egnor. The motion carried.

19.I.1. REVIEW AND CONSIDERATION OF WEST VIRGINIA UNIVERSITY

1. Site Visit Report

- 19.I.1.** The Board reviewed the on-site visit report. Discussion ensued. Joyce Egnor made the motion to approve the report and continue full approval of the West Virginia University (WVU) Morgantown BA/BS to BSN and BSN programs, and grant provisional accreditation of the WVU Institute of Technology (WVUIT) Montgomery Campus BSN

program through March 31, 2015; acknowledge the contract between WVUIT BSN program Montgomery Campus and Montgomery General Hospital for collaborative skills/simulation labs at the Montgomery General Hospital Campus, and the detailed list of equipment purchases for the planned WVUIT skills/simulation labs; and, requires WVUIT to submit NCLEX-RN progress reports inclusive of curriculum content review including student learning outcomes assessment, trending and analysis; test review including item analysis; faculty salary reports and skills/simulation labs implementation 30 days before each Education Committee meeting. The second was offered by Libby Farmer. The motion carried.

2. DEAN APPROVAL

- 19.I.2. The Board reviewed the documents related to the new Dean for the WVU School of Nursing, Tara Hulsey, PhD, RN. Joyce Egnor made a motion to approve Tara Hulsey, PhD, RN, as the Dean of the WVU School of Nursing. Libby Farmer offered the second. The motion carried.

19.J. MISCELLANEOUS

A. BRECNINRIDGE SCHOOL OF NUSRING POLICY RELATED TO EXIT EXAMS

- 19.J. **This item was added as the result of the determination that it was an emergency issue as many students from the program contacted the Board regarding concerns about the policy and the processes related to Exit Exams.** The Director, LaShonda Bare, provided a report to the Board regarding the new policy related to exit exams. Ms. Bare presented the plan of action and related policy. The Board finding no concerns with the updated policy required Ms. Bare to submit validation of student notification of these policies as soon as possible after the notification.

20. REVIEW AND CONSIDERATION OF DISCIPLINARY REVIEW COMMITTEE REPORT

A. PRESENTATION OF CASES

- 20.A. Leslie Morris, Discipline Assistant joined the meeting. Ms. Morris provided the Board with the Disciplinary Review Committee (DRC) report for March 22, 2014 through June 11, 2014. Action was taken on 35 cases.

B. APPROVAL OF DECISIONS

- 20.B.** The DRC recommended the Board approve the report as written. A motion was made by Joyce Egnor to approve the report. The second was offered by Dr. Libby Farmer. The motion carried. A copy of the report is filed herewith.

C. REVIEW AND CONSIDERATION OF MATTERS RELATED TO FRANCES SIGMON

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 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 Judy Nystrom that the Board recess and reconvene in an Executive Session to discuss matters related to discipline. The second was offered by Joyce Egnor. The motion carried.

PUBLIC SESSION

A motion was made by Libby Farmer to reconvene the regular meeting to make motions related to discussion during the Executive Session. The motion was seconded by Mary Fanning. The motion carried.

Judy Nystrom made a motion to modify the Board's original Final Order for Francis Sigmon to give credit for the suspension period from October 2013. The second was offered by Teresa Ritchie. The motion carried.

LUNCH 12:00N

RN/LPN JOINT MEETING 1:00 PM

RECONVENE 2:00 PM

ADJOURN

The motion to adjourn the meeting was made by Judy Nystrom at 2:00 p.m. The second was offered by Joyce Egnor. The motion carried.



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



Respectfully submitted by
Mary Friel Fanning, DNP, RN
Board Secretary