

**VIRGINIA BOARD OF NURSING
COMMITTEE OF THE JOINT BOARDS OF NURSING AND MEDICINE
MINUTES
June 10, 2015**

TIME AND PLACE: The meeting of the Committee of the Joint Boards of Nursing and Medicine was convened at 9:05 A.M., in Board Room 4, Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

MEMBERS PRESENT: Louise Hershkowitz, CRNA, MSHA; Chair
Lori D. Conklin, MD
Marie Gerardo, MS, RN, ANP-BC
Kelly S. McDonough, DNP, RN
Stuart Mackler, MD, FACS
Wayne Reynolds, DO

ADVISORY COMMITTEE MEMBERS PRESENT:
Joseph F. Borzelleca, Jr., MD, MPH
Carola Bruflat, MSN, WHNP, FNP
Wendy Dotson, CNM, MSN
Sarah E. Hobgood, MD
Tom Watters, RN, CRNA

STAFF PRESENT: Jay P. Douglas, MSM, RN, CSAC, FRE; Executive Director; Board of Nursing
Gloria D. Mitchell-Lively, RN, MSN, MBA, Deputy Executive Director; Board of Nursing
David Brown, DC; Director; Department of Health Professions
William Harp, MD; Executive Director, Board of Medicine
Jennifer Deschenes, Deputy Executive Director, Board of Medicine
Elaine Yeatts, Senior Policy Analyst, Department of Health Professions
Amy Davis, Executive Assistant; Board of Nursing

OTHERS PRESENT: Erin Barrett, Assistant Attorney General; Board Counsel

IN THE AUDIENCE: Tyler Cox, representing Medical Society of Virginia
Richard Grossman, representing Virginia Council of Nurse Practitioners
Michele Satterlund, Virginia Association of Nurse Anesthetists
Lia Cullen, Board of Nursing Intern

ESTABLISHMENT OF A QUORUM:
Ms. Hershkowitz called the meeting to order and established a quorum was present.

INTRODUCTIONS: Committee members, Advisory Committee members and staff members introduced themselves.

REVIEW OF MINUTES:

The minutes of April 8, 2015 were reviewed. Dr. Mackler moved to accept the minutes as presented. The motion was seconded and carried unanimously.

OLD BUSINESS:

Guidance Document Review and Proposed Amendments to Guidance Document 90-11 and 90-56:

Ms. Yeatts reviewed the proposed amendments to Guidance Document 90-11 regarding continuing competency requirements violations for nurse practitioners to remove “practice agreement” from the document. Dr. Mackler moved to adopt the proposed amendments. The motion as was seconded and carried unanimously.

Ms. Yeatts reviewed the proposed amendments to Guidance Document 90-56 regarding practice agreement requirements for nurse practitioners for the nurse practitioner to consider identifying a back-up collaborating physician in the event of the unexpected departure of the patient care team physician. Dr. Mackler moved to adopt the proposed amendments. The motion as was seconded and carried unanimously.

Amendments to 18VAC90-30-70 – Certification Categories of Nurse Practitioners:

Ms. Douglas provided background on the amendments to 18VAC90-30-70 regarding categories of nurse practitioners. The amendments were adopted by the Board of Nursing at their meeting on May 19, 2015 and will be considered by the Board of Medicine at their meeting in June. If adopted, the proposed amendments will be sent to Department of Planning and Budget for possible inclusion to the legislative packet for the 2016 General Assembly.

Final Nurse Practitioner Regulations and Prescriptive Authority Regulations:

Ms. Yeatts reported 18VAC90-30 Regulations Governing the Licensure of Nurse Practitioners and 18VAC90-40 Regulations for Prescriptive Authority for Nurse Practitioners have been approved and will be effective July 15, 2015.

PUBLIC COMMENT:

There was no one present that wished to address the Board.

NEW BUSINESS:

Board of Medicine Telehealth Guidance Document 85-12:

Dr. Harp reviewed Guidance Document 85-12 that was developed by a group of stakeholders comprised of national and regional experts on telehealth with the focus on maintenance of standard of care using telehealth. The Board of Medicine developed the guidelines to educate licensees as to the appropriate use of telemedicine services in the practice of medicine. The Board’s commitment is to ensure patient access to the convenience and benefits afforded by telemedicine services, while promoting the responsible provision of health care services. Dr. Harp pointed out that language in the guidance document was provider neutral so could be applicable to nurse practitioners.

Dr. Harp recommended Guidance Document 85-12 to be adopted by the Committee of the Joint Boards of Nursing and Medicine. Dr. Mackler moved to adopt Guidance Document 85-12. The motion was seconded and carried unanimously.

National Council of State Boards of Nursing (NCSBN) Adoption of Model Language for Advanced Practice Registered Nurses (APRN) Compact:

Ms. Douglas reported the model language for the APRN Compact was adopted by NCSBN on May 4, 2015. Individual states will determine whether to move forward with adoption of the language to advance legislation for participation in the APRN Compact. Virginia's current laws regarding nurse practitioner practice do make Virginia eligible for participation in the APRN Compact as the statutes are not consistent with the National Consensus Model.

Board of Nursing Executive Director Report:

Ms. Douglas provided information on the following items:

- Draft legislative proposal regarding §54.1-3002 for the 2016 General Assembly to increase the membership of the Board of Nursing from thirteen, with one member as a licensed nurse practitioner; to fourteen, with two members as a licensed nurse practitioner. Ms. Douglas stated this will be very helpful in scheduling disciplinary proceedings regarding nurse practitioners.
- Board staff has experienced an increase in questions regarding family nurse practitioner practice in psychiatric settings due to a change in DBHDS regulations and policies. Additional background information needs to be obtained but staff believed the basis for DBHDS changes is CMS reimbursement policies.
- Board staff has experienced an increase in questions regarding CRNA practice in health care systems involving pain management/anesthesia services.
- Board staff has not received any contact from nurse practitioners since April 2015 regarding the sudden or unexpected departure of the collaborating physician. Dr. Reynolds had asked at the April 2015 meeting for Board staff to maintain a record of any requests received.
- Notice of pending Senate legislation authorizing nurse practitioners employed in Veteran Affairs facilities to practice independently.
- Grant through the Affordable Care Act for a pilot program at the University of Pennsylvania to train nurse practitioners in primary care role yielded an 80% increase in the number of nurse practitioners graduating.

Resignation of Advisory Board Member:

Ms. Douglas reported that Dr. Karen Elmore has resigned from the Advisory Board after her election on April 8, 2015. Ms. Douglas encouraged nominations be submitted to the Secretary of the Commonwealth to fill the position.

ADJOURNMENT:

As there was no additional business, the meeting was adjourned at 9:48 a.m.

Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director