

**VIRGINIA BOARD OF NURSING
MINUTES
May 19, 2009**

TIME AND PLACE: The meeting of the Board of Nursing was called to order at 9:00 A.M. on May 19, 2009 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Richmond, Virginia.

PRESIDING: Lynne M. Cooper, Citizen Member, President

**BOARD MEMBERS
PRESENT:**

Patricia M. Selig, R.N., F.N.P., Ph.D., Vice President
Peregrin C. Francisco, R.N., M.S.A., Secretary
Joyce A. Hahn, Ph.D.; APRN; NEA-BC
Brenda L. Hale, R.N.
John M. Horn, L.P.N.
Florence Jones-Clarke, R.N., M.S.
Patricia C. Lane, R.N., B.S.N., M.B.A., H.C.A.
Evelyn Lindsay, L.P.N.
Judith E. Piersall, R.N., B.S.N.
Lawrence L. Logan, Citizen Member
G. Maxine Ponn, L.P.N.

STAFF PRESENT: Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director
Gloria D. Mitchell, R.N., M.S.N., M.B.A., Deputy Executive Director (joined later)
Jodi P. Power, R.N., J.D., Deputy Executive Director
Brenda Krohn, R.N., M.S., Deputy Executive Director
Paula B. Saxby, R.N., Ph.D., Deputy Executive Director
Jessica Ressler, R.N.C., M.S.N., Nursing Education Consultant
Linda Kleiner, R.N., Discipline Case Manager
Ann Tiller, Compliance Manager
Amy Davis, Administrative Assistant
Donna Lee, Senior Discipline Specialist (joined later)

OTHERS PRESENT: Ishneila Moore, Assistant Attorney General
Elaine Yeatts, Policy Analyst, Department of Health Professions
Sandra Whitley Ryals, Director, Department of Health Professions

**ESTABLISHMENT OF
A QUORUM:** With twelve members of the Board present, a quorum was established.

ANNOUNCEMENTS:

- The next meeting of the Committee of the Joint Boards of Nursing and Medicine is scheduled for June 17, 2009
- VNA Annual Roundtable on Nursing Education Practice and Policy is scheduled for May 22, 2009.

- NCSBN Delegate Assembly and Annual Meeting is scheduled for August 12 – 14, 2009 in Philadelphia.
- Nurse Licensure Compact Administrators Meeting is scheduled for August 11, 2009 in Philadelphia.

ORDERING OF AGENDA: The agenda was reviewed and ordered.

CONSENT AGENDA: The Board removed two items from the proposed consent agenda. Ms. Hale moved to accept the consent agenda which includes:

Minutes:

March 16, 2009 – Panel – Dr. Selig
 March 17, 2009 – Board Meeting – Ms. Cooper
 March 18, 2009 – Quorum – Ms. Cooper
 March 18, 2009 – Panel – Ms. Cooper
 March 18, 2009 – Panel – Dr. Selig
 March 19, 2009 – Panel – Ms. Cooper
 April 10, 2009 – Telephone Conference Call – Ms. Cooper
 April 15, 2009 – Panel – Dr. Selig
 April 15, 2009 - Committee of the Joint Boards of Nursing and Medicine – Dr. Selig

Reports:

Finance Report
 Health Practitioners Intervention Program Report of Statistics

REPORTS:

Board of Nursing Monthly Tracking Log-Licensure & Disciplinary Statistics:

Ms. Douglas informed the Board the tracking log is not available due to areas of the licensing system not being operational in May.

Agency Subordinate Tracking Log:

Ms. Cooper stated the information on the Agency Subordinate Tracking Log indicates the process of reviewing the recommendations from the agency subordinate is becoming more comfortable as indicated by the number of recommendations accepted increasing. Ms. Douglas expressed her appreciation to Ms. Power for her efforts related to quality improvement.

Executive Director Report:

Dr. Selig referred to the NCSBN webinar regarding the testing accommodation process in the Executive Director Report that Dr. Saxby and Ms. Ressler participated in. Dr. Selig stated Virginia is the only state that requires Board member review, and raised the question if authorization for review could be delegated to Board staff. Several Board members expressed their support of this due to the very low number of recommendations from staff being denied and that criteria has been established. Dr. Selig moved to delegate review accommodation requests to Board staff in accordance with established criteria. The motion was seconded and carried unanimously. Any accommodation

requests Board staff is not comfortable in making a determination will be presented to the Board for review.

Ms. Yeatts will amend the current guidance document to document the authorization of delegation to staff regarding accommodation requests.

Ms. Jones-Clarke asked that a report containing the outcome of accommodation requests received and reviewed by Board staff be presented at future Board meetings.

Ms. Mitchell joined the meeting.

Dr. Selig raised a question related to the Legislative Coalition of Virginia Nurses meeting attended by Ms. Douglas on April 3, 2009 regarding nurse practitioner scope of practice. Ms. Douglas stated the Virginia Council of Nurse Practitioners is developing a strategy to see the laws reflect a more autonomous practice to increase access to care in collaboration with physicians. Ms. Douglas stated nurse practitioners are not seeking independent practice.

Status of Appeals:

Mr. Casway reported on the appeal regarding the suspension of Kathleen Yeary's nurse practitioner license being handled by Scott County Circuit Court. The petition was filed but never served.

Mr. Casway reported that he is working with the attorney for Kenneth Wright to resolve issues before it goes to Roanoke County Circuit Court.

Medication Aide Program:

Ms. Krohn reported there are 3,002 registered medication aides to date. 3,236 have passed the exam, and 4,271 applications have been received. Ms. Krohn reviewed the medication aide regulations effective May 13, 2009, specifically the August 1, 2009 deadline regarding the Board accepting one year of experience as a medication aide in an assisted living facility prior to December 31, 2008.

Ms. Krohn also brought information to the Board's attention in the revised regulations regarding 18VAC90-60-91 that states the requirements for provisional medication aide practice and 18VAC90-60.92 that states the requirements for registration by endorsement.

NCLEX and NNAAP Exam Reports:

Dr. Saxby reviewed the first quarter 2009 NCLEX results. The national NCLEX-PN pass rate is 84%, and Virginia's pass rate is 73%. The Education Committee is working with those programs that have low pass rates. The national NCLEX-RN pass rate is 88%, and Virginia's pass rate is 87.5%. Dr. Saxby stated the proprietary registered nursing education programs do not seem to have the same issues as proprietary practical nursing education programs.

Dr. Saxby reviewed the NNAAP information. The national average of the written portion of the exam is 94%, and Virginia's rate is 92%. The national

average of the skills portion of the exam is 81%, and Virginia's pass rate is 66%. Pearson is developing training days to help programs assist students in being successful with the NNAAP exam. Training days in Virginia are scheduled at George Mason University on August 3, 2009 and University of Virginia on August 5, 2009. Staff from nurse aide education programs will be invited to attend. Skills identified with a pass rate of less than 80% will be a focus during the training sessions.

Dr. Saxby stated most states have a policy for nurse aide candidates to complete a nurse aide education program again if the candidate is unsuccessful three times within a two year period. Virginia does not require this however it will be evaluated by the Education Committee.

The Education Committee will develop an action plan to increase pass rates. Ms. Piersall moved to refer review of the regulations regarding education to the Education Committee. The motion was seconded and carried unanimously.

Board of Health Professions:

Ms. Cooper provided a summary of the most recent Board of Health Professions meeting. Discussion from the meeting included requests for Department of Health Professions to regulate additional occupations and the Prescription Monitoring Program. The next meeting is scheduled for August 11, 2009.

OTHER MATTERS:

NURSYS Data Integrity Project:

Ms. Douglas reported on the NURSYS project to obtain data that is missing from the database. National Council of State Boards of Nursing provided a report indicating the number of data items missing and offered financial assistance to support the research to provide the missing data. Ms. Tiller provided an estimate of time involved for research and to enter the data. This will be forwarded to the National Council of State Boards of Nursing Board of Directors. The report indicated over 100,000 pieces of Virginia Board of Nursing data missing or unspecified in NURSYS. This missing or unspecified data included education, license obtained by information and expiration dates.

Disciplinary Caseload/Formal Hearing Agenda:

Ms. Douglas provided a summary of discussions Board staff and Administrative Proceedings Division staff had related to improve the disciplinary caseload and formal hearing agenda. Major factors were identified and alternative processes have been implemented. The Education Special Conference Committee which normally meets on Monday morning will be comprised of two Board members instead of three, which enables the Education Special Conference Committee to convene longer since the Board members are not needed to conduct formal hearings in the afternoon. Formal hearings will be scheduled for all day on Monday instead of only in the afternoon. The discussion to have two panels conducting formal hearings on Thursdays was not an option due to a lack of the number of Board members needed for two panels.

Ms. Douglas clarified comments from the Board received today included:

- To add extra days of formal hearings

- Convene the Education Special Conference Committee on another day other than Board week
- Decrease the number of formal hearings scheduled each day
- Increase communication with Board staff and Administrative Proceedings Division to identify hearings in advance that may be lengthy
- Offer a training day for Board members and Administrative Proceedings Division staff to increase effectiveness of questions to respondents and witnesses

RECESS: The Board recessed at 10:50 A.M.

RECONVENTION: The Board reconvened at 11:00 A.M.

OPEN FORUM: Becky Bowers-Lanier, representative from Virginia Association of Nurse Anesthetists was present and addressed the Board regarding Guidance Document 90-5. Suggested changes include:

- Changing the title of the guidance document
- Clarification on how drugs are appropriately administered for sedation and/or anesthesia and who should administer them, based on scope of practice
- Further delineation and definition of sedation and anesthesia
- Adding language to clarify the use of neuromuscular blocking agents

The Board decided to defer consideration of suggested changes to a committee for review. Dr. Selig volunteered to chair the committee. Mr. Horn and Ms. Jones-Clarke volunteered to serve on the Committee

DIALOGUE WITH THE AGENCY DIRECTOR:

Ms. Ryals provided an update to the Board regarding the following items:

- An unauthorized user accessed the Department of Health Professions Prescription Monitoring Program on April 30, 2009. DHP immediately shut down all systems and notified the authorities. DHP is trying to determine the extent of the system compromise; federal and state law enforcement continues to pursue the source. No evidence of other systems being involved has been found. Advanced measures are being put in place.

Ms. Ryals reviewed the questions and answers posted on the website revised May 14, 2009. She added that additional information will be posted to the website and members of the public whose records were involved will be notified as law enforcement allows. The Prescription Monitoring Program (PMP) is not accessible to registered users at this time, however continues to collect information from pharmacies. Access to data is being provided by direct contact with PMP staff.

- A draft report will be released soon from the Nursing Workforce Advisory Committee regarding survey information

- Results of DHP's key performance measures for the 3rd quarter have been posted to Virginia Performs.

OTHER MATTERS:

Board of Nursing Office Alternate Operation:

Board members asked Ms. Douglas to provide information related to how the office dealt with lack of systems being available as indicated by Ms. Ryals. Ms. Douglas informed the board of the emergency procedures put in place by staff that included:

- Utilizing NURSYS for licensure status and verification from a laptop with an air card to access the internet.
- A manual licensing process was created and was ready for implementation; however License 2000 was restored before it was implemented.
- Walk in renewals and renewals by mail increased dramatically since online renewal was not available.
- An alternate process was implemented to download the NCLEX information and test scores of nurse aides and medication aides for new licensees.
- DHP IT staff worked with NCSBN staff to transmit information to NURSYS. Information is not being transmitted to HIPDB at this time.

NCSBN Delegate Assembly and Annual Meeting:

Ms. Douglas provided information to the Board that NCSBN will provide funding for two to attend the meeting scheduled for August in Philadelphia, Pennsylvania. Board members that are interested in attending should give their names to Ms. Cooper today.

Board member, Patricia Lane is on the slate of nominations for NCSBN Leadership Succession Committee to be considered at the Delegate Assembly in August and therefore would like to attend.

Request to Amend Guidance Document 90-6 PICC Line Insertion and Removal by Registered Nurses Under Appropriate Circumstances:

Ms. Douglas reviewed a request received from Terri Gaskins with Omnicare/Neighborhood Pharmacy in Portsmouth to amend the guidance document to allow licensed practical nurses to remove PICC lines if properly trained and if done under the supervision of a registered nurse or physician. The Board deferred this to staff for further study, reporting back to the Board for action.

RECESS: The Board recessed at 12:15 P.M.

RECONVENTION: The Board reconvened at 1:15 P.M.

LEGISLATION/REGULATIONS:

Chart of Regulatory Actions:

Ms. Yeatts reviewed the status of regulatory actions and indicated a public hearing will be held on July 21, 2009 regarding the requirements for foreign trained nurses seeking licensure in Virginia.

Regulatory Action – Adoption of Exempt Regulations Workforce Data Collection:

Ms. Yeatts presented information related to HB 2405 enacted by the 2009 General Assembly authorizing release of information collected on nursing workforce that differs from the current restriction in Section 36 of Chapter 20. Ms. Francisco moved to adopt the amendments to Section 36 of Chapter 20. The motion was seconded and carried unanimously.

Adoption of Guidance Documents:

Ms. Yeatts presented information related to a recommendation from the April 15, 2009 meeting of the Committee of the Joint Boards of Nursing and Medicine to adopt a guidance document to specify that a nurse practitioner may write DNR orders if such authority is included in his written protocol and if he consults with the physician. Ms. Francisco moved to approve the draft guidance document 90-33 as recommended by the Committee of the Joint Boards of Nursing and Medicine and to repeal guidance document 90-22 for consistency with Board policy. The motion was seconded and carried unanimously. Proposed Guidance Document 90-33 will be presented to the Board of Medicine in June 2009.

Community Integration for People with Disabilities:

Dr. Saxby provided information from the most recent meeting held and reviewed draft legislation to amend the Drug Control Act, the Nurse Practice Act and the Medical Practice Act. This legislative proposal is being initiated by the Community Integration for People with Disabilities office. Ms. Hale moved to accept in concept the proposed language that would make changes to the Drug Control Act and Nurse Practice Act. The motion was seconded and carried unanimously.

EDUCATION:

Education Special Conference Committee:

The Board considered the recommendations of the Education Special Conference Committee from its meeting on May 18, 2009. Ms. Francisco moved to adopt the recommendations as submitted. The motion was seconded and approved unanimously. Ms. Ressler and Ms. Piersall provided an overview of points of interest from the meeting that included:

- Continued provisional approval was denied for the American International Institute of Health practical nursing education program due to non compliance with Board orders.
- Full approval was denied to ALMA nursing education program.
- Approval was denied to American Health Care related to the low pass rate and order issued by the New Jersey Board of Nursing.

Education Issues:

Ms. Ressler discussed general education issues regarding nursing education programs to include:

- There are approved nursing education programs that have not admitted students.
- Survey visits to nursing education programs are becoming increasingly complex.

- Virginia Hospital Center is no longer allowing practical nursing students to utilize their facility.
- Lack of clinical sites remains a problem.
- Changes in high school programs related to budget issues continue.
- Five long term Deans are retiring soon.

Suggested Questions and Format for Virginia Nursing Education

Program Survey:

Dr. Saxby reviewed the information prepared by Linda Lacy, President of Lacy Research Associates regarding registered nursing programs and practical nursing programs. Dr. Lacy is contracted by the Department of Health Professions Health Care Data Workforce Center. The survey tool will be revised and implementation will take place in October 2009.

NCSBN Nursing Education Conference Call:

Dr. Saxby and Ms. Ressler provided an overview of the conference call held May 13, 2009. Topics discussed on the call included:

- **Clinical Space Issues:** Clinical space continues to be an issue in most States. Many states are using automated scheduling for student placements in the clinical areas. Some States (Texas, Maryland, Washington, Arizona) reported use of an automated, centralized system. This can be expensive and must have a system in place to coordinate schools in each geographic area. Funding has been an issue in many jurisdictions. The speaker said that the automated scheduling has actually helped programs to find alternative clinical sites. Some schools in specific regions in Virginia are collaborating to make arrangements for clinicals, but we are unaware of a centralized, automated system in use in Virginia. Many States are allowing clinical simulation in lieu of direct client care. Colorado allows up to 25% of the clinical experience to be “simulation” or if a school is accredited, they can set their own % of simulation. Texas allows schools to develop their own patient care experiences which can include the virtual hospital, direct client care, simulation, and skills lab. They have no percentages required or allowed and reported that “schools do not take advantage of that.” There appears to be a National consensus that a combination of direct client care and simulation is the best experience for nursing students. The use of simulation does not seem to exceed 25% of the clinical experience hours in any State. NCSBN will be releasing the results of the clinical simulation study in the near future.
- Several states do not have a mandatory clinical in mental health for PN students. Virginia does require clinical experiences throughout the lifespan in a variety of settings for both RN and PN students.
- Military Medics to PN - WV and NC reported that they allow Navy corpsmen to take the NCLEX-PN and be licensed as an LPN. North Carolina gives the Navy and Air Force corpsmen a multi-state license which cannot be endorsed in many other states as they

didn't graduate from an approved program. Most States do not allow corpsmen or medics to take the LPN exam. Virginia law and regulations require someone to have graduated from a PN program in order to be eligible for licensure in Virginia as an LPN. The only military course that is approved by a Board of Nursing as a nursing education program is the Army Practical Nursing Program which is 52 weeks in length. Other "field unit" courses that are nursing related (but only 4 months in length) are not approved as a practical nursing program. The Navy and Air Force curricula do reflect "nursing" courses, but they are not comprehensive and do not include all the requirements for a practical nursing program. To work in any federal facility, an LPN or RN must have graduated from an accredited nursing program; so they will not hire ex-corpsman or medics as LPN's or RNs.

RECESS: The Board recessed at 2:40 P.M.

RECONVENTION: The Board reconvened at 2:50 P.M.

CONSIDERATION OF CONSENT ORDERS AND AGENCY SUBORDINATE RECOMMENDATIONS:

CLOSED MEETING: Ms. Francisco moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 2:54 P.M. for the purpose of deliberation to reach a decision regarding consideration of consent orders, agency subordinate recommendations and requests for accommodation. Additionally, Ms. Francisco moved that Ms. Douglas, Ms. Mitchell, Ms. Power, Ms. Krohn, Ms. Tiller, Ms. Kleiner, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 3:00 P.M.

Ms. Francisco moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Margery Dotson, R.N.

Ms. Lane moved to accept the consent order for the voluntary surrender for indefinite suspension of Margery Dotson's license to practice professional nursing in Virginia until such time as she appears before the Board and provides evidence that she is safe and competent to resume practice. The motion was seconded and carried unanimously.

Carlotta Sloan, RN.

Ms. Piersall moved to accept the consent order to indefinitely suspend the professional nursing license of Carlotta Sloan until such time as she appears before the Board and provides sufficient evidence that she is safe and

competent to resume practice. The motion was seconded and carried unanimously.

Patricia A. Murphy, R.N.

Dr. Hahn moved to accept the consent order to indefinitely suspend the professional nursing license of Patricia Murphy until such time as she appears before the Board and provides sufficient evidence that she is safe and competent to resume practice. The motion was seconded and carried unanimously.

Miranda Nunnally, L.P.N.

Ms. Lane moved to accept the consent order to indefinitely suspend the practical nursing license of Miranda Nunnally until such time as she appears before the Board and provides sufficient evidence that she is safe and competent to resume practice. The motion was seconded and carried unanimously.

Elizabeth Emmett, L.P.N.

Ms. Lane moved to accept the consent order for the voluntary surrender for indefinite suspension of Elizabeth Emmett's license to practice practical nursing until such time as she appears before the Board and provides sufficient evidence that she is safe and competent to resume practice. The motion was seconded and carried unanimously.

Deborah L. Benton, L.P.N.

Ms. Hale moved to accept the consent order to reprimand Deborah Benton, impose a \$100.00 monetary penalty to be paid within sixty days of entry of the order; and to indefinitely suspend the practical nursing license of Ms. Benton until she provides evidence of completing the National Council of State Boards of Nursing courses "Professional Accountability and Legal Liability for Nurses" and "Sharpening Critical Thinking Skills". The motion was seconded and carried unanimously.

Mary A. Lovely, R.N. Applicant

Ms. Hale moved to accept the agency subordinate recommendation to deny the application of Mary Lovely for licensure by endorsement as a registered nurse. The motion was seconded and carried unanimously.

Channy Mao, R.N. Applicant

Ms. Piersall moved to grant the request of time and a half (9 hours) and a private room to Channy Mao to take the NCLEX-RN. The motion was seconded and carried unanimously.

David Obeid, R.N. Applicant

Ms. Piersall moved to grant the request of time and a half (9hours) and a private room to David Obeid to take the NCLEX-RN exam. The motion was seconded and carried unanimously.

Robin Tucker, R.N. Applicant

Ms. Piersall moved to grant the request of time and a half (9 hours) and a private room to Robin Tucker to take the NCLEX-RN exam. The motion was seconded and carried unanimously.

Mary Keely Costello, R.N. Applicant

Ms. Piersall moved to grant the request of time and a half (9 hours) and a private room to Mary Keely Costello to take the NCLEX-RN exam. The motion was seconded and carried unanimously.

Ruth Cleaver, R.N. Applicant

Ms. Piersall moved to grant the request of time and a half (9 hours) and a private room to Ruth Cleaver to take the NCLEX-RN exam. The motion was seconded and carried unanimously.

Hilba Massod, R.N. Applicant

Ms. Piersall moved to grant the request of a private room to Hilba Massod to take the NCLEX-RN exam. The motion was seconded and carried unanimously.

Patricia A. Davis, R.N. Applicant

Ms. Piersall moved to grant the request of time and a half (9 hours) and a private room to Patricia Davis to take the NCLEX-RN exam. The motion was seconded and carried unanimously.

As there was no additional business, the meeting was adjourned at 3:15 P.M.

Lynne Cooper, Citizen Member
President

Note - Copies of reports referenced can be obtained by contacting the Board of Nursing office.

**VIRGINIA BOARD OF NURSING
EDUCATION INFORMAL CONFERENCE COMMITTEE
MINUTES
May 18, 2009**

TIME AND PLACE: The meeting of the Education Informal Conference Committee was convened at 9:02 a.m. in Suite 201, Department of Health Professions 9960 Mayland Drive, Second Floor, Richmond, Virginia.

MEMBERS PRESENT: Judith E. Piersall, R.N., B.S.N., Chairperson
Florence Jones-Clarke, R.N., M.S.

STAFF PRESENT: Jay Douglas, R.N., M.S.M., C.S.A.C., Executive Director
Paula B. Saxby, R.N., Ph.D., Deputy Executive Director
Jessica C. Ressler, R.N.C., M.S.N., Nursing Education Consultant
Barbara Applegate, R.N., On-Site Visitor
Jean Moseley, R.N., On-Site Visitor
Marsha Dubbé, R.N., On-Site Visitor
Laura Mueller, Administrative Assistant

CONFERENCES SCHEDULED:

REGISTERED NURSING, PRACTICAL NURSING, AND NURSE AIDE EDUCATION PROGRAMS

Review of Terms and Conditions of Board Order to include Survey Visit for Continued Provisional Approval
American International Institute of Health – Practical Nursing Education Program, Arlington

Edward Erinle, RN, BSN, Program Director and Bintha Kabba, RN, Instructor and Jonathan Joseph, Esquire was in attendance.

At 11:29 a.m., Ms. Jones-Clarke moved that the Education Informal Conference Committee convene a closed meeting pursuant to § 2.2-3711 (A) (28) of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of American International Institute of Health, Practical Nursing Education Program in Arlington. Additionally, she moved that Ms. Douglas, Dr. Saxby and Laura Mueller attend the closed meeting because their presence in the closed meeting was deemed necessary.

The motion was seconded and carried unanimously. The

Committee reconvened in open session at 12:03 p.m.

Ms. Jones-Clarke moved that the Education Informal Conference Committee heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

Action: Recommend:

This practical nursing education program is not in compliance with the terms and conditions of the Board Order entered February 11, 2009 and that continued provisional approval is denied pursuant to regulation **18VAC90-20-50**.

Application Phase to Establish a Nursing Education Program

South Central Area Health Education Center- Practical Nursing Education Program, Altavista

Valli Viol, Regina Kennedy, and Cherise Ramos were in attendance.

At 12:15 p.m., Ms. Jones-Clarke moved that the Education Informal Conference Committee convene a closed meeting pursuant to § 2.2-3711 (A) (28) of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of South Central Area Health Education Center Practical Nursing Education Program in Altavista. Additionally, she moved that Ms. Douglas, Mrs. Ressler, Dr. Saxby, Barbara Applegate and Laura Mueller attend the closed meeting because their presence in the closed meeting was deemed necessary.

The motion was seconded and carried unanimously. The

Committee reconvened in open session at 12:26 p.m.

Ms. Jones-Clarke moved that the Education Informal Conference Committee heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

Action: Recommend:

1. Accept the application documentation in fulfillment of **18VAC90-20-40.A.1.2**; and
2. The admission of students and the advertisement of this proposed practical nursing education program is **not** authorized.

Jay Douglas left the meeting at 12:26 p.m.

Jodi Power joined the meeting at 12:28 p.m.

Quarterly Report

Fortis College – Associate Degree Nursing Education
Program, Norfolk

Carol Hrusousky, MSN, ED, Program Director was in
attendance.

Action: Recommend:

1. Accept the quarterly report as information;
2. The next quarterly report is due July 1, 2009; and
3. The program code is 28-418.

Response to Board Request

Fortis College – Associate Degree and Practical Nursing
Education Program, Richmond

Action: Recommend:

1. Accept the faculty summary as fulfilling the March Board request; and
2. The first quarterly report is due June 15, 2009.

Fee, Application, Letter of Intent, Application Phase, and Proposal for Provisional Approval to Establish a Nursing Education Program

John Tyler Community College – Associate Degree Nursing
Education Program Hybrid Track, Midlothian

Deborah Ulmer and Charles Smith were in attendance.

Action: Recommend:

1. Grant approval of the application phase and the provisional approval phase of this program;
2. This program is authorized to advertise and admit students; and
3. A quarterly report will be due on August 4, 2009.

Continued Approval Survey Visit

Germanna Community College – Practical Nursing Education
Program, Locust Grove

Jane Ingalls and Sherlynn Farish-Barner were in attendance.

Action: Recommend:

Grant continued full-approval to this pre-licensure practical nursing education program. The next survey visit will be scheduled for 2017.

Continued Approval Survey Visit

Fredericksburg Area Schools – Practical Nursing Education
Program, Fredericksburg

Jane Ingalls and Sherlynn Farish-Barner were in attendance.

Action: Recommend:

Grant continued full-approval to this pre-licensure practical nursing education program. The next survey visit will be scheduled for 2017.

The following **suggestions** are made for program improvement:

1. The faculty and program director may wish to develop a notebook or electronic folder for documentation of meetings between the program director and the faculty that reflect the review of the systematic plan of evaluation for the Fredericksburg campus; and
2. The faculty and program director may wish to develop objectives for any observational experiences that may occur during the first nine months of the program.

Quarterly Report

Eastern View High School/Germanna Community College –
Practical Nursing Education Program, Culpeper

Linda Copeland was in attendance.

Action: Recommend:

1. Accept the quarterly report as information; and
2. The next quarterly report is due July 1, 2009

Application to Establish a Nurse Aide Education Program

Germanna Community College Workforce Development
Services, Locust Grove

Victoria Duff, RNC was in attendance.

At 1:14 p.m., Ms. Jones-Clarke moved that the Education Informal Conference Committee convene a closed meeting pursuant to § 2.2-3711 (A) (28) of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of Germanna Community College Workforce Development Services Nurse Aide Education Program in Locust Grove. Additionally, she moved that Ms. Power, Mrs. Ressler, Dr. Saxby, Barbara Applegate, Marsha Dubbé, Jean Moseley and Laura Mueller attend the closed meeting because their presence in the closed meeting was deemed necessary.

The motion was seconded and carried unanimously. The

Committee reconvened in open session at 1:20 p.m.

Ms. Jones-Clarke moved that the Education Informal Conference Committee heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

Action: Recommend:

Approval of the nurse aide education program at Germanna Community College Workforce Development Services at both locations.

Meeting adjourned at 1:23 p.m.

Meeting reconvened at 2:07 p.m.

Letter of Intent, Application Phase, and Proposal for Provisional Approval to Establish a Nursing Education Program

Danville Community College – proposed Associate Degree Nursing Education Program, Danville

Tammy McKinney, Wade Davenport, Cathy Barrett were in attendance.

Action: Recommend:

1. Grant provisional approval of the curriculum for the proposed ADN program at Danville Community College;
2. The school is authorized to advertise and admit students;
3. When the new site is available a Board representative will conduct a site visit; and
4. The first quarterly report is due August 3, 2009.

Provisional Approval to Establish a Nursing Education Program

Sentara School of Health Professions – Baccalaureate Degree Nursing Education Program, Chesapeake

Linda Aleksa and Shelly Cohen were in attendance.

At 2:35 p.m., Ms. Jones-Clarke moved that the Education Informal Conference Committee convene a closed meeting pursuant to § 2.2-3711 (A) (28) of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of Sentara School of Health Professions, Baccalaureate Degree Nursing Education Program in Chesapeake. Additionally, she moved that Ms. Douglas, Mrs. Ressler, Dr. Saxby, Barbara Applegate, Marsha Dubbé, Jean Moseley and Laura Mueller attend the closed meeting because their presence in the closed meeting was deemed necessary.

The motion was seconded and carried unanimously. The

Committee reconvened in open session at 2:46 p.m.

Ms. Jones-Clarke moved that the Education Informal Conference Committee heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

Action: Recommend:

1. Grant provisional approval of the curriculum for the proposed BSN program at Sentara School of Health Professions;
2. The School is authorized to advertise and admit students; and
3. The first quarterly report is due July 1, 2009.

On-Site Visit for Provisional Approval to Establish a Nursing Education Program

Sentara School of Health Professions – proposed Baccalaureate Degree Nursing Education Program, Chesapeake

Linda Aleksa and Shelly Cohen were in attendance.

Action: Recommend:

Grant provisional approval of the physical site for the proposed BSN program at Sentara School of Health Professions.

Initial Approval Survey Visit

Medical Careers Institute – Practical Nursing Program, Richmond

Annette Aurelio and Tammy Colatruglio were in attendance.

Action: Recommend:

Continue provisional approval to this practical nursing education program until four quarters of NCLEX-PN scores have been obtained which will be the end of September, 2009. The next quarterly report is due June 15, 2009.

Initial Approval Survey Visit and Quarterly Report

Alma School of Nursing and Allied Health – Practical Nursing Education Program, Alexandria

Hassan Koroma and Yabom Sesay were in attendance.

At 3:59 p.m., Ms. Jones-Clarke moved that the Education Informal Conference Committee convene a closed meeting pursuant to § 2.2-3711 (A) (28) of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of Alma School of Nursing and Allied Health Practical Nursing Education Program in Alexandria. Additionally, she

moved that Ms. Douglas, Mrs. Ressler, Dr. Saxby, Barbara Applegate, Marsha Dubbé, Jean Moseley and Laura Mueller attend the closed meeting because their presence in the closed meeting was deemed necessary.

The motion was seconded and carried unanimously. The

Committee reconvened in open session at 4:27 p.m.

Ms. Jones-Clarke moved that the Education Informal Conference Committee heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The following **requirements are not met** by this practical nursing education program:

1. **[18VAC90-20-110.A.3.]** Advisory committee meeting minutes were not available for review. Per the Program Director, the advisory meeting was via telephone;
2. **[18VAC90-20-110.B.2.]** No official high school transcript, transfer transcript, official college transcript, or GED in student records in 13 of 18 records reviewed. Records kept in a locked file cabinet in the Program Directors office that is not fireproof;
3. **[18VAC90-20-110.C.14.]** Current NCLEX-PN pass rate is not posted;
4. **[18VAC90-20-120.B.1.]** A clinical experience was not and is not available to students in Maternal Child Health or Pediatrics. The second graduating class did not receive a clinical experience in Maternal Child Health or Pediatrics. Per a student in the first graduating class, they did not participate in a Pediatric clinical;
5. **[18VAC90-20-80; 18VAC90-20-90.C.6.]** A systematic plan of evaluation is in place, but is not used for total program review as evidenced by a lack of faculty minutes discussing the systematic plan of evaluation;
6. **[18VAC90-20-130.F.]** There were no observational objectives available for review for those clinical areas that students utilize for observation only;
7. **[18VAC90-20-120.E; 18VAC90-20-120.B.1.; 18VAC90-20-140.A.3.; 18VAC90-20-300.A.2.e.]** Clinical hours were awarded on the graduate transcript for clinicals that did not take place. There are 400 clinical hours assigned in this curriculum;

8. **[18VAC90-20-151.A.]** Current NCLEX-PN pass rate is 33% in Virginia; and
9. **[18VAC90-20-90.A.3.]** Documentation of continuing education for the faculty was not available for review, only the program director.

Action: Recommend:

1. Deny full approval of this practical nursing education program and withdraw provisional approval of the program in pursuant to **18VAC90-20-60** of Board of Nursing Regulation;

2. Pursuant to **18VAC90-2-170** Board of Nursing Regulations, the practical nursing program shall be closed by no later than June 30, 2009;
3. Prior to that date, the practical nursing program shall assist in the transfer of students until all students are transferred; and
4. No new students may be admitted.

Initial Approval Survey Visit

Eastern Shore Community College – Practical Nursing Education Program, Melfa

Linda Pruitt and Peggy Bennett were in attendance.

At 4:38 p.m., Ms. Jones-Clarke moved that the Education Informal Conference Committee convene a closed meeting pursuant to § 2.2-3711 (A) (28) of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of Eastern Shore Community College Practical Nursing Education Program in Melfa. Additionally, she moved that Ms. Douglas, Mrs. Ressler, Dr. Saxby, Barbara Applegate, Marsha Dubbé, Jean Moseley and Laura Mueller attend the closed meeting because their presence in the closed meeting was deemed necessary.

The motion was seconded and carried unanimously. The

Committee reconvened in open session at 4:53 p.m.

Ms. Jones-Clarke moved that the Education Informal Conference Committee heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

Action: Recommend:

1. Continue provisional approval through the 4 quarters following the May 2008 graduation-September 2009;
2. Submit the NCLEX-PN pass rate at that time; and
3. The next quarterly report is due July 1, 2009. In this report include a description of the skills lab, the number of clinical hours and person assigned to the skills lab.

And the following **suggestions** were made in improving the program:

1. The program director and faculty may wish to review and revise the faculty job descriptions to identify all the faculty functions;
2. The program director, faculty, and administration may wish to evaluate the need to increase the course passage rate from 75% to 80%;
3. The program director may wish to consider assigning one faculty member to coordinate the simulation lab for both the PN and ADN programs;

4. The program director needs to evaluate the advisement procedures for those students in need of the developmental classes; and
5. The program director and faculty should develop a concrete strategy to help students increase their NCLEX-PN pass rate.

Application Phase and Proposal for Provisional Approval to Establish a Nursing Education Program

St. Michael College of Allied Health – Associate Degree Nursing Education Program, Alexandria

Michael Adedokum was in attendance.

At 5:24 p.m., Ms. Jones-Clarke moved that the Education Informal Conference Committee convene a closed meeting pursuant to § 2.2-3711 (A) (28) of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of St. Michael College of Allied Health Associate Degree Nursing Education Program in Alexandria. Additionally, she moved that Ms. Douglas, Mrs. Ressler, Dr. Saxby, Barbara Applegate, Marsha Dubbé, and Jean Moseley attend the closed meeting because their presence in the closed meeting was deemed necessary.

The motion was seconded and carried unanimously. The

Committee reconvened in open session at 5:32 p.m.

Ms. Jones-Clarke moved that the Education Informal Conference Committee heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

Action: Recommend:

1. Accept the application and provisional proposal to establish a pre-licensure ADN program;
2. Within 14 days after receipt of this letter, and no later than June 8, 2009, submit a faculty summary and clinical agency form to the Board and also submit a cover letter from each clinical agency noting the number of students enrolled in each clinical;
3. Grant provisional approval to establish a pre-licensure registered nursing education program to this college;

4. Authorization to advertise and admit students is **not** granted until a site visit is made to the school; and
5. Revise the contracts.

Letter of Intent to Transition a PN Program

Stonewall Jackson Hospital School of Practical Nursing –
Practical Nursing Education Program, Lexington

Action: Recommend:

1. Accept the enclosed documentation regarding the transition of the practical nursing program as information;
2. Provide a quarterly report in order to update the Board on the progress of this transition. The first quarterly report will be due July 10, 2009; and
3. Provide the Board with application fee of \$1,200.00 and the application form, which is available on the Board's website.

Letter of Intent, Application Phase, and Proposal for Provisional Approval to Establish a Nursing Education Program

America Health Care, Inc. – Practical Nursing Education Program, Falls Church

Action: Recommend:

1. Deny approval of this proposal to this PN education program based on the NCLEX-PN scores for this New Jersey based practical nursing education program, **18VAC90-20-50**, as well as based on the action taken by the New Jersey Board of Nursing on September 17, 2008;
2. That action is pursuant to the New Jersey Board order entered on September 17, 2008. That order states:
 1. "Respondent America Health Care, Incorporated, shall immediately upon the filing of this Final Order of Probation and Denial of Accreditation cease to admit any students and shall be placed on probation until the last student enrolled in the program graduates or otherwise leaves the program."
 2. America Health shall comply with the mandates of N.J.A.C. 13:37-1.3 and fully assist the Board in ensuring that all of its students, currently enrolled in its program at the time of the entry of this Final Order, either graduate from the program or are otherwise accommodated in their departure from the program.
 3. The application of the respondent America Health Care, Incorporated for accreditation is hereby denied and the School is hereby placed on Probation as authorized by N.J. A.C. 13:37-1.3(e).
3. The NCLEX-PN pass rates for this program are: 2006 – 68.75%, 2007 – 44.44%, 2008 – 37.04%.

Continued Approval Survey Visit

Loudoun County Public Schools – Practical Nursing
Education Program, Leesburg

Action: Recommend:

Grant continued full-approval to this pre-licensure practical nursing education program. The next survey visit will be scheduled for 2017.

Quarterly Report

Longwood University – Baccalaureate Degree Nursing
Education Program, Farmville

Action: Recommend:

1. Accept the quarterly report as information;
2. The next quarterly report is due July 1, 2009; and
3. In that report, include a current faculty summary.

Quarterly Report

Jefferson College of Health Sciences – Baccalaureate
Degree Nursing Education Program, Roanoke

Action: Recommend:

1. Accept the quarterly report as information;
2. The next quarterly report is due July 1, 2009; and
3. In that report, include a current faculty summary.

Quarterly Report

Global Health Nurse Training Services – Associate Degree
Nursing Education Program, Alexandria

Action: Recommend:

1. Accept the quarterly report as information;
2. The next quarterly report is due July 1, 2009;
3. In that report, include a current faculty summary and a list of the clinical sites, including the name of each clinical course taught at each site;
4. The quarterly report must be specific to the ADN program as the PN program was previously approved by the Virginia Board of Nursing;
5. The quarterly reports should be mailed to the address listed on the enclosed business card; and
6. Include a curriculum plan with the number of clinical hours identified for the ADN program.

Report of Communications from Outside Agencies

Global Health Nurse Training Services – Practical Nursing and Associate Degree Nursing Education Program, Alexandria

Action: Recommend:

1. Accept the communications from SCHEV and the Department of Education as information;
2. Provide the Board with the amended grievance procedure within 14 days of receipt of this letter; and
3. Also include the grievance procedure used prior to December 10, 2008.

Quarterly Report

Star Institute – Practical Nursing Education Program, Fairfax

Action: Recommend:

1. Accept the quarterly report as information;
2. The next quarterly report is due July 1, 2009; and
3. In that report, include a current faculty summary.

Quarterly Report

Gee's Career Training Institute – Practical Nursing Education Program, Dumfries

Action: Recommend:

1. Accept the quarterly report as information;
2. The next quarterly report is due July 1, 2009; and
3. In that report, include a current faculty summary(enclosed) and a current list of those agencies the program plans to use for clinical experiences (enclosed).

Quarterly Report

ITT Technical Institute – pre-licensure Associate Degree Nursing Education Program, Norfolk

Action: Recommend:

1. Accept the quarterly report as information; and
2. The next quarterly report is due July 1, 2009. In that report, include a faculty summary and a current list of clinical sites.

Quarterly Report

The George Washington University – Baccalaureate Degree
Nursing Program, Loudoun

Action: Recommend:

1. Accept the quarterly report as information; and
2. The next quarterly report is due October 1, 2009. In that report please verify that all faculty who will be attending clinicals in Washington, DC hold a DC RN license.

Change of Location

Northern Virginia Community College – On-line and Traditional pre-licensure Associate Degree Nursing Education Program, Arlington/Springfield

Action: Recommend:

Accept the communication as information.

Response to Board Request

Virginia School of Nursing and Medical Institute – Practical Nursing Education Program, Springfield

Action: Recommend:

1. Accept the quarterly report as information;
2. The next quarterly report is due July 1, 2009;
3. Revise the “Sessions Offered” schedule to reflect the accurate days and hours and submit that information to the Board office within 14 days;
4. In the next quarterly report, include a plan that will increase the current clinical hours to the 400 hours required in the Virginia Board of Nursing regulations effective April 2, 2008; and
5. Stop new admissions until the Board can verify that this program has 400 clinical hours.

Application to Establish a Nurse Aide Education Program

Professional Nurses Inc., Norfolk

Action: Recommend:

Approval of the nurse aide education program at Professional Nurses Inc., Norfolk.

On-Site Review Report - Nurse Aide Education Program

Northern Neck Technical Center, Warsaw

Action: Recommend:

Conditional approval with thirty (30) days to meet the following requirement and a follow-up site visit in Fall 2009 to ensure compliance with the regulations:

Ensure that students receive a copy of their skills performance record and a copy is kept in the student record [18 VAC 90-25-50.A.1].

And the following suggestions for improving the program:

1. Develop strategies to increase the pass rate on the skills portion of the NNAAP exam;
2. Plan regularly scheduled meetings between the program coordinator at Rappahannock Community College and the primary instructor at Northern Neck Technical Center;
3. Insert a column on the skills checklist for the instructor's initials;
4. Delete the resident's name on the practice charting sheet to be in compliance with HIPPA regulations;
5. Document complaints or "no complaints" in the complaint record; and
6. Consider updating audio-visuals to be current and relevant.

On-Site Review Report - Nurse Aide Education Programs

Action: Recommend continued approval of the following nurse aide education programs:

Bedford Science and Technology Center (High School & Adult Programs), Bedford
International Black Women's Congress, Norfolk
Rappahannock Community College, Warsaw
Southside Virginia Community College, Alberta

Curriculum Change Request – Nurse Aide Education Program

Floyd County High School, Floyd

Action: Recommend:

Approving the curriculum change request.

Meeting adjourned at 6:25 p.m.

Paula B. Saxby, R.N., Ph.D.
Deputy Executive Director

Jessica C. Ressler, R.N.C., M.S.N.
Nursing Education Consultant