

MINNESOTA BOARD OF NURSING

MEETING MINUTES

June 2, 2016

The meeting was called to order at 8:35 a.m., June 2, 2016, in Conference Room A, 2829 University Avenue Southeast, Minneapolis, Minnesota by Deborah Haagenson, president.

Members Present

Cindy DeJarlais  
Becky Gladis  
Deborah Haagenson  
Michelle Harker  
Bradley Haugen  
June McLachlan  
Deborah Meyer

Robert Muster  
Christine Norton  
Jan Rainey  
Christine Renne  
Sheila Robley  
Sue Sendelbach  
Steven Strand

Members Absent

Jeanine Gangeness  
Natya Stroud

Staff (*present at various times*)

Shirley Brekken  
Kay Buchanan  
Rene Cronquist  
Barbara Damchik-Dykes  
Becky Elmasry  
Ben Hanson  
Mary Hoepfner  
Marilyn Krasowski

Sarah Larsen  
Mary Luecke  
Kimberly Miller  
Daphne Ponds  
Judy Reeve  
Julie Sabo  
Mary Squires

Legal Counsel (*present at various times*)

Hans Anderson  
Lucas Clayton  
Caitlin Micko

Tiffany Sedillos  
Brian Williams

Mission Statement

S. Robley read the Board mission statement to remind members of the Board's purpose.

**Mission Statement**

“The mission of the Minnesota Board of Nursing is to protect the public's health and safety through regulation of nursing education, licensure and practice.”

## Approval of Board Meeting Agenda

**Motion** by C. DeJarlais, seconded by C. Norton, to approve the June 2, 2016 meeting agenda.

Vote: Yes – 14 (DeJarlais, Gladis, Haagenson, Harker, Haugen, McLachlan, Norton, Meyer, Muster, Rainey, Renne, Robley, Sendelbach, Strand)

No – 0; Abstain – 0; Absent – 0

Motion Carried

## President's Report

President Haagenson asked board members to reflect on the core value of *Collaboration-pursuing alliances with internal and external stakeholders* during the meeting. She made the following acknowledgments:

She welcomed Dr. David Benton, CEO of the National Council of State Boards of Nursing (NCSBN); and Stacey Pfenning, executive director of the North Dakota State Board of Nursing.

NCSBN is seeking more candidates for leadership positions. Nominations are open until June 12, 2016 and elections will be held at the August Delegate Assembly.

## Executive Director's Report

S. Brekken reported the Board is receiving inquiries regarding the pending strike by the MN Nurse's Association. The Board has seen an increase in applications for licensure by endorsement with approximately twice the number of what is usual.

Legislative Update:

Brekken reported the following bills impacting the Board of Nursing passed and provisions become effective August 1, 2016:

- SF454/HF1036 clarify the temporary suspension provisions and authority of the health-related licensing boards and create alignment with requirements of the Office of Administrative Hearings. The bill also provides an exemption from licensure for educators teaching by distance education or who are in the state temporarily to provide continuing education.
- SF1440/HF1652 modify the Prescription Monitoring Program (PMP). The bill has a provision for the health-related licensing boards to access information from the PMP if an individual is under investigation for drug diversion or impairment.

Executive Director’s Report (cont’d)

The Minnesota Tri-Regulatory Symposium, sponsored by the Boards of Medical Practice, Nursing, and Pharmacy, was held June 1, 2016. Speakers included representatives from the Federation of State Medical Boards (FSMB), the National Association of Boards of Pharmacy (NABP) and the National Council of State Boards of Nursing (NCSBN). Dr. Barbara Brandt, Director of the University of Minnesota Center for Interprofessional Practice and Education, presented on the topic of *Interprofessional Practice*; and Dr. Doris Gundersen, Medical Director of the Colorado Physician Health Program, presented on the topic of *Medical Cannabis and Recreational Marijuana*.

She congratulated Rene Cronquist, director of practice and policy, who will receive a National Council of State Boards of Nursing (NCSBN) Exceptional Contribution Award during the August NCSBN Annual Meeting. The award recognizes an individual who is not a board president or executive officer; has shown exceptional commitment and achievement; and has made significant contribution to nursing regulation.

Dr. David Benton, CEO of NCSBN, shared the National Council of State Boards of Nursing provides the opportunity to collaborate with boards throughout the country and engage in activities related to regulation. He presented NCSBN service award certificates to the following:

- Deborah Meyer – Item Review Committee
- Deborah Haagenson – Leadership Succession Committee
- Michelle Harker – By Laws Committee
- Mariclaire England – Item Review Subcommittee
- Barbara Damchik-Dykes – Commitment to Ongoing Regulatory Excellence (CORE) Committee
- Kimberly Miller – NCLEX Committee

Consent Agenda

<b>Agenda Item</b>	<b>Attachment</b>
Board Meeting Minutes: April 7, 2016	III.A
Board Meeting Minutes: May 5, 2016	III.B
Financial Report: March – April 2016	III.C
Licensure Statistics: March – April 2016	III.D
Disposition of Complaints: March – April 2016	III.E
APRN Advisory Council Minutes: September 17, 2015	III.F
Education Committee Minutes: August 26, 2015	III.G
Executive Committee Minutes: February 26, 2016	III.H
Discipline Resources Committee Minutes: February 5, 2016	III.I
Nursing Practice Committee Minutes: April 1, 2015	III.J
Nursing Practice Committee Minutes: February 3, 2016	III.K

Nursing Practice Committee Minutes: April 6, 2016	III.L
HPSP FY2016 Quarter III Report: January – March 2016	III.M
APRN Roundtable Report	III.N
Report of Joint Statement on the Impact of Health Conditions and Medications Use on the Operation of Vehicles	III.O

**Motion** by C. Norton, seconded by S. Robley, to approve the Consent Agenda.

Vote: Yes – 14 (DeJarlais, Gladis, Haagenson, Harker, Haugen, McLachlan, Norton, Meyer, Muster, Rainey, Renne, Robley, Sendelbach, Strand)

No – 0; Abstain – 0; Absent – 0

Motion Carried  
Attachments III.A - O

National Council of State Boards of Nursing Annual Meeting

The Minnesota Board of Nursing is a member of the National Council of State Boards of Nursing (NCSBN). The NCSBN 2016 Annual Meeting/Delegate Assembly will be held August 17-19, 2016 in Chicago, Illinois. Activities include discussion and voting on NCSBN business items and election of individuals to the Board of Directors and Leadership Succession Committee.

**Motion** by S. Harker, seconded by S. Sendelbach, that the Board fund three board members to attend the NCSBN 2016 Annual Meeting.

Vote: Yes – 14 (DeJarlais, Gladis, Haagenson, Harker, Haugen, McLachlan, Norton, Meyer, Muster, Rainey, Renne, Robley, Sendelbach, Strand)

No – 0; Abstain – 0; Absent – 0

Motion Carried  
Attachment IV.A

Representation on the Minnesota Center for Nursing Board of Directors

The bylaws of the Minnesota Center for Nursing require representation from the Minnesota Board of Nursing. S. Sendelbach has served as the Board of Nursing representative on the Board of Directors since June 30, 2014.

**Motion** by C. Norton, seconded by S. Sendelbach, to appoint M. Krasowski to represent the Minnesota Board of Nursing on the Minnesota Center for Nursing Board of Directors.

Vote: Yes – 14 (DeJarlais, Gladis, Haagenson, Harker, Haugen, McLachlan, Norton, Meyer, Muster, Rainey, Renne, Robley, Sendelbach, Strand)

No – 0; Abstain – 0; Absent – 0

Motion Carried  
Attachment IV.B

### Executive Session

President Haagenson declared an executive session at 9:35 a.m. to address a personnel matter.

President Haagenson reconvened the meeting at 9:50 a.m.

### Board Member Development

Dr. David Benton, CEO, National Council of State Boards of Nursing (NCSBN), reported on national and global efforts of NCSBN. He shared engagement with NCSBN gives member organizations a benchmark and information as to other groups' operation.

### Executive Committee

President Haagenson presented an update on the status of the 2014-2016 Strategic Initiatives.

Attachment V.A

### Discipline Resources Committee

S. Strand reported the Discipline Resources Committee is in the process of developing guidelines for Criminal Background Checks and is considering creating a decision tree.

### Nursing Practice Committee

D. Haagenson reported the Committee is developing a draft Nurse Licensure Compact Communication Plan. Preliminary plans include surveying licensed nurses to assess the current state of knowledge regarding the Nurse Licensure Compact. The goal is to determine what resources or information is needed by nurses throughout the state. Methods of communication including website links, newsletter articles, regional information sessions and discussions with stakeholder groups are being considered.

The Committee continues review of the *Statement of Accountability for Administration of Medications Classified as Anesthetics by the Registered Nurse*. Revisions are being considered to add value and clarity to the Statement before presenting to the full Board.

### Core Value Reflection

President Haagenson led the board members in a reflection on the core value of *Collaboration, pursuing alliances with internal and external stakeholders*, to identify how the Board has demonstrated this value in its deliberation and decision making.

### Recess

President Haagenson declared a recess at 11:45 a.m.

Closed Session

President Haagenson reconvened the meeting in closed session at 1:05 p.m., and declared a quorum present:

The Stipulation and Consent Order Consent Agenda included the following cases:

1. Bonnie Huiras, RN 116230-3 – Suspension;
2. Matt Kraft, LPN 75203-1 – Suspension;
3. Karin Mobilia, LPN 45167-5 – Stayed Suspension, Limitations, Conditions;
4. Erin Timp, RN 183153-7 – Suspension;
5. Lanita West, RN 138423-3 – Stayed Suspension;

**Motion** by M. Harker, seconded by B. Haugen, that the Board adopt the Stipulation and Consent Order Agenda and issue the Orders effective June 2, 2016.

Vote: Yes – 14 (DeJarlais, Gladis, Haagenson, Harker, Haugen, McLachlan, Meyer, Muster, Norton, Rainey, Renne, Robley, Sendelbach, Strand)

No – 0; Abstain – 0; Absent – 0

Motion Carried

The Petition Consent Agenda included the following cases:

Petition for Reinstatement:

1. Kirsten Methany, LPN 67408-3 – Stipulation and Consent Order for Reinstatement (Stayed Suspension, Conditions);

Petition for Unconditional License:

1. Veronica McCabe, LPN 78654-4 – Petition to reinstate Ms. McCabe’s practical nurse license and issue an Unconditional License.

**Motion** by C. DeJarlais, seconded by D. Meyer, that the Board adopt the Petition Consent Agenda and issue the Orders effective June 2, 2016.

Vote: Yes – 14 (DeJarlais, Gladis, Haagenson, Harker, Haugen, McLachlan, Meyer, Muster, Norton, Rainey, Renne, Robley, Sendelbach, Strand)

No – 0; Abstain – 0; Absent – 0

Motion Carried

Marva Thurston, APRN-CNS 5886, RN 93731-9

Marva Thurston was issued a Stipulation and Consent Order of Suspension on February 5, 2015. On May 9, 2016, Ms. Thurston and her attorney Marit Sivertson attended a conference with the Board of Nursing Review Panel to discuss Ms. Thurston's petition for reinstatement of her registered nurse license, the Panel including Deborah Haagenson, Board member. The Board reviewed materials submitted by Ms. Thurston and Ms. Sivertson to support Ms. Thurston's petition for reinstatement of her advanced practice registered nurse license and registered nurse license in an unconditional status.

**Motion** by B. Haugen, seconded by C. DeJarlais, that the Board reinstate the advanced practice registered nurse license and registered nurse license of Marva Thurston and issue an Order of Unconditional License, effective June 2, 2016.

Vote: Yes – 13 (DeJarlais, Gladis, Haagenson, Harker, Haugen, McLachlan, Meyer, Muster, Norton, Rainey, Renne, Robley, Strand)

No - 0; Abstain – 1 (Sendelbach)

Motion Carried

Rebecca Baker, RN 122666-3

The Board reviewed a proposed stipulation and consent order to reprimand the registered nurse license of Rebecca Baker and assess a \$250.00 civil penalty. Ms. Baker was represented by Marit Sivertson. Becky Gladis was the consulted Board member. The matter was resolved without a conference.

**Motion** by B. Haugen, seconded by R. Muster, that the Board adopt the Stipulation and Consent Order as proposed and issue the Order effective June 2, 2016.

Vote: Yes – 14 (DeJarlais, Gladis, Haagenson, Harker, Haugen, McLachlan, Meyer, Muster, Norton, Rainey, Renne, Robley, Sendelbach, Strand)

No – 0; Abstain – 0; Absent – 0

Motion Carried

Robin Cloutier, APRN-CRNA 0180, RN 132191-1

Robin Cloutier attended a conference with the Board of Nursing Review Panel on April 27, 2016, the Panel including Christine Renne, Board member. The Board reviewed the resulting proposed stipulation and consent order to suspend Ms. Cloutier's advanced practice registered nurse license and registered nurse license.

**Motion** by M. Harker, seconded by C. DeJarlais, that the Board adopt the Stipulation and Consent Order Agenda and issue the Orders effective June 2, 2016.

Robin Cloutier, APRN-CRNA 0180, RN 132191-1 (cont'd)

Vote: Yes – 14 (DeJarlais, Gladis, Haagenson, Harker, Haugen, McLachlan, Meyer, Muster, Norton, Rainey, Renne, Robley, Sendelbach, Strand)

No – 0; Abstain – 0; Absent – 0

Motion Carried

Colleen Collier, RN 184685-2

Colleen Collier was issued a Findings of Fact, Conclusions and Final Order for Suspension on April 24, 2012. On May 16, 2016, Ms. Collier attended a conference with the Board of Nursing Review Panel to discuss her petition for reinstatement of her registered nurse license, the Panel including Deborah Haagenson, Board member. The Board reviewed materials submitted by Ms. Collier in support of her petition.

**Motion** by C. DeJarlais, seconded by D. Meyer, that the Board reinstate the registered nurse license of Colleen Collier to suspend Ms. Collier's registered nurse license and stay the suspension based on Ms. Collier's compliance with the Order and place limitations and conditions on the license, effective June 2, 2016.

Vote: Yes – 13 (DeJarlais, Gladis, Haagenson, Harker, Haugen, McLachlan, Meyer, Muster, Norton, Rainey, Renne, Robley, Strand)

No – 1 (Sendelbach); Absent – 0

Motion Carried

Gary Elsbecker, RN 130191-5

The Board reviewed a proposed stipulation and consent order to reprimand Gary Elsbecker and assess a \$750.00 civil penalty. Michelle Harker was the consulted Board member. The matter was resolved without a conference.

**Motion** by B. Haugen, seconded by J. Rainey, that the Board adopt the Stipulation and Consent Order as proposed and issue the Order effective June 2, 2016.

Vote: Yes – 14 (DeJarlais, Gladis, Haagenson, Harker, Haugen, McLachlan, Meyer, Muster, Norton, Rainey, Renne, Robley, Sendelbach, Strand)

No – 0; Abstain – 0; Absent – 0

Motion Carried

Julie Kahn, LPN 64486-4

Julie Kahn attended a conference with the Board of Nursing Review Panel on May 23, 2016, the Panel including Becky Gladis, Board member. The Board reviewed the resulting proposed stipulation and consent order to suspend Ms. Kahn's practical nurse license.

Julie Kahn, LPN 64486-4 (cont'd)

**Motion** by C. DeJarlais, seconded by D. Meyer, that the Board adopt the Stipulation and Consent Order Agenda and issue the Orders effective June 2, 2016.

Vote: Yes – 13 (DeJarlais, Gladis, Haagenson, Harker, Haugen, McLachlan, Meyer, Muster, Norton, Rainey, Renne, Robley, Strand)

No – 0; Abstain 1 (Sendelbach)

Motion Carried

Roberta Pointer, RN 90114-1

Roberta Pointer and her attorney, David Aron, attended a conference with the Board of Nursing Review Panel on September 10, 2015, the Panel including Bradley Haugen, Board member. The Board reviewed the resulting proposed stipulation and consent order to suspend Ms. Pointer's registered nurse license and assess a \$4,500.00 civil penalty.

**Motion** by R. Muster, seconded by D. Meyer, that the Board adopt the Stipulation and Consent Order Agenda and issue the Orders effective June 2, 2016.

Vote: Yes – 11 (DeJarlais, Haagenson, Harker, Haugen, McLachlan, Meyer, Muster, Norton, Rainey, Renne, Strand)

No – 3 (Gladis, Robley, Sendelbach); Absent – 0

Motion Carried

Meeting recessed at 1:20 p.m. and resumed at 2:00 p.m. in closed session to discuss the following cases.

The Board considered the following Hearing Consent Agenda:

1. Jessica Besch, LPN 69367-9, Reregistration Applicant – Denial of Reregistration, Suspension, Civil Penalty (Michelle Harker, Bradley Haugen);
2. Justin Fehringer, LPN 56193-4 – Suspension (Deborah Haagenson, Bradley Haugen);
3. Ashley Goodrich, LPN Endorsement Applicant- Denial of Licensure (Christine Norton, Steven Strand);
4. Jeanne Schad, RN 120548-0 – Suspension, Civil Penalty (Michelle Harker);

**Motion** by C. DeJarlias, seconded by J. Rainey, that the Board adopt the Hearing Consent Agenda and authorize Assistant Attorney General and Caitlin Micko, to make nonsubstantive, editorial revisions as needed.

**Roll Call Vote:**

<b>Board Member</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAINED FROM</b>	<b>ABSENT</b>
Cindy DeJarlais	X			
Becky Gladis	X			
Deborah Haagenson	X		Justin Fehringer	
Michelle Harker	X		Jessica Besch, Jeanne Schad	
Bradley Haugen	X		Jessica Besch, Justin Fehringer	
June McLachlan	X			
Deborah Meyer	X			
Robert Muster	X			
Christine Norton	X		Ashley Goodrich	
Jan Rainey	X			
Christine Renne	X			
Sheila Robley	X			
Sue Sendelbach	X			
Steven Strand	X		Ashley Goodrich	

Motion Carried

**Motion** by B. Haugen, seconded by R. Muster, to reconsider the motion of the matter of Melissa Frost (Consent Agenda).

Vote: Yes – 11 (Gladis, Haagenson, Harker, Haugen, McLachlan, Meyer, Muster, Robley, Renne, Sendelbach, Strand)

No – 0; Absent – 3 (DeJarlais, Norton, Rainey)

Motion Carried

Melissa Frost, LPN 73091-4

A Notice of and Order for Prehearing Conference and Hearing was served to Melissa A. Frost on March 25, 2016, scheduling a prehearing conference on May 2, 2016. Ms. Frost did not attend the prehearing conference but did attend the hearing before the Board. Administrative Law Judge, Barbara J. Case issued the Findings of Fact, Conclusions of Law, and Recommendation Upon Default on May 4, 2016. Ms. Frost requested to submit additional information into the hearing record. Assistant Attorney General Lucas Clayton presented oral argument on behalf of the Review Panel. Ms. Frost made a statement and responded to questions. Cindy DeJarlais and Christine Norton, Board members on the Review Panel, and Assistant Attorney General Lucas Clayton were excused and did not participate in the deliberation or voting. Assistant Attorney General Caitlin Micko advised the Board.

Melissa Frost, LPN 73091-4 (cont'd)

**Motion** by S. Strand, seconded by S. Sendelbach, to accept the additional information into the hearing record.

Vote: Yes – 8 (Haagenson, Harker, McLachlan, Muster, Robley, Renne, Sendelbach, Strand)

No – 2 (Meyer, Gladis); Absent – 3 (DeJarlais, Norton, Rainey);  
Abstain – 1 (Haugen) Motion Carried

**Motion** by S. Strand, seconded by D. Meyer, to accept the proposed Order and the Fact, Conclusions and Final Order of the Review Panel and issue the Order suspending Ms. Frost's practical nurse license.

**Motion** by R. Muster, to amend the proposed Order suspending Ms. Frost license for 12 months. There being no second the motion failed.

**Motion** by S. Robley, seconded by R. Muster, to amend the motion to suspend the license of Ms. Frost for 12 months.

Vote: Yes – 5 (Haagenson, Muster, Renne, Robley, Strand);

No – 5 (Gladis, Harker, McLachlan, Meyer, Sendelbach);

Absent – 3 (DeJarlais, Norton, Rainey); Abstain – 1 (Haugen) Motion Failed

**Motion** by S. Sendelbach, seconded by M. Harker, to amend the motion to suspend Ms. Frost's license for 24 months.

Vote: Yes – 6 (Gladis, Harker, McLachlan, Meyer, Muster, Sendelbach)

No – 4 (Haagenson, Renne, Robley, Strand); Absent – 3 (DeJarlais, Norton, Rainey)

Abstain – 1 (Haugen) Motion Carried

**Motion** by S. Sendelbach, seconded by M. Harker, to amend the proposed Order suspending the license of Ms. Frost for 24 months, that the Board authorize Caitlin Micko to make editorial revisions in the proposed Order, accept the Fact, Conclusions and Final Order of the Review Panel, as revised, and issue the Order suspending Ms. Frost's practical nurse license, effective the date of service (June 14, 2016).

Melissa Frost, LPN 73091-4 (cont'd)

Vote: Yes – 6 (Gladis, Harker, McLachlan, Meyer, Muster, Sendelbach)

No – 4 (Haagenson, Renne, Robley, Strand); Absent – 3 (DeJarlais, Norton,  
Rainey)

Abstain – 1 (Haugen)

Motion Carried

Adjourn

The meeting adjourned at 3:30 p.m.

Recorder:

  
Shirley A. Brekken  
Executive Director

Attest:

  
\_\_\_\_\_  
Michelle Harker  
Secretary