

MINNESOTA BOARD OF NURSING
MEETING MINUTES
December 1, 2022

President Robert Muster called the meeting to order 8:43 a.m. on December 1, 2022, at 335 Randolph Avenue, St. Paul, Minnesota. The meeting was hybrid, conducted both in person and virtually. A roll call of Board members was completed and a quorum was declared. All votes were recorded by roll call. President Muster announced public comments will be permitted at the beginning of the meeting. There were no public comments.

Members Present

Katlynn Berntson
Laura Elseth
Lynette How
Rhonda Johnson
Jacqueline Lloyd Cunningham
Katherine Lynch
Robert Muster
Rui Pina
Sarah Simons

Members Absent

Jacob Anderson
Kaleeca Bible
Latasha Lee (during open session)

Staff (present at various times)

Judy Berger
Stephanie Cook
Susan Frosch
Lynne Hagggar
Marilyn Krasowski
Leslie Larson
Lajeana Iverson
Andrea McCusker
Angela Serfling
Kate Reimers
Mary Squires

Kimberly Miller
Jessica Pariona
Theresa Reichel
Steve Shaffer
Melissa Wolfe
Stephanie Cook
Katharine Fowler
Steven Shaffer
Krystal Conley

Legal Counsel (present at various times)

Allan Aguilar, AAG
Hans Anderson, AAG
Keriann Riehle, AAG

Public Present

Nicholas Fuqua

Mission Statement

L. How read the Board mission statement to remind members of the Board's purpose, *"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

Director Miller announced the Nursing Practice Committee Annual Report has been removed from the agenda.

Motion by S. Simons, seconded by L. Elseth, to approve the December 1, 2022, meeting agenda with removal of Nursing Practice Committee annual report.

Vote: Yes – 9 (Berntson, Elseth, How, Johnson, Lloyd Cunningham, Lynch, Muster, Pina, Simons).

No – 0; Abstain – 0; Absent- 3 (Anderson, Bible, Lee)

Motion Carried

Public Comments

No requests for public comments were received.

President's Report

President's report was filed for board member review. No oral report given.

Attachment II.A

Executive Director's Report

Director Miller addressed the continuing high number of applications for licensure, which are anticipated to increase due to the nurses' union authorizing another strike.

Director Miller announced Sue Frosch, Nursing Education Specialist, is retiring at the beginning of 2023. A search is in process to fill her position.

Director Miller recognized President Muster for his two terms of service and presented him with a Certificate of Service Recognition.

Attachment II.B

Board Member Acceptance of Responsibility and Accountability

Reappointed board member, K. Berntson, took the renewal oath and acknowledged acceptance of responsibility and accountability while serving as a board member.

Consent Agenda

Motion by L. Elseth, seconded by L. How, to approve consent agenda.

Vote: Yes – 9 (Berntson, Elseth, How, Johnson, Lloyd Cunningham, Lynch, Muster, Pina, Simons).

No – 0; Abstain – 0; Absent- 3 (Anderson, Bible, Lee)

Motion Carried

Attachments III.A, III.B,1-2, III.C.1-2, III.D.1-2, III.E, III.F, III.G.1-2, III.I, III.J, III.K

Reports/Actions

Continued Program Approval of Accredited Programs

In accordance with Minnesota Rule 6301.2350 subpart 3, “the Board shall continue approval for programs that comply with all applicable rules including the survey requirements in part 6301.2360, subparts 2 and 3.”

Motion by S. Simons, seconded by K. Lynch, that the Board grant continuing approval to the following nursing programs based on compliance with all applicable rules:

- College of St. Scholastica Baccalaureate Degree Nursing Program
- College of St. Scholastica Doctor of Nursing Practice Program
- College of St. Scholastica Post-Graduate APRN Certificate Program
- Rasmussen University Moorhead Associate Degree Nursing Program
- Rasmussen University Moorhead Practical Nursing Program
- Saint Paul College Practical Nursing Program

Vote: Yes – 9 (Berntson, Elseth, How, Johnson, Lloyd Cunningham, Lynch, Muster, Pina, Simons).

No – 0; Abstain – 0; Absent- 3 (Anderson, Bible, Lee)

Motion Carried

Recommendation to Revise Minimum Speaking Score Requirement on IELTS (International English Language Testing System) English Proficiency Exam

President Muster recommended revising the current IELTS English Proficiency Examination passing score of 6.5 overall with a minimum of 6.0 in any one module, to a passing score of 6.5 overall with a minimum of 7.0 in the speaking module and a minimum of 6.0 in all other modules, with implementation date of January 1, 2023.

Motion by L. Elseth to raise the minimum speaking score on the IELTS to 7.

Vote: Yes – 9 (Berntson, Elseth, How, Johnson, Lloyd Cunningham, Lynch, Muster, Pina, Simons).

No – 0; Abstain – 0; Absent- 3 (Anderson, Bible, Lee)

Motion Carried

Recommendation to Approve Capella University Letter of Intent to Establish an Advanced Practice Nursing (APRN) Education Program

President Muster recommended approval of Capella University letter of intent to establish an APRN Education Program.

Dr. Lisa Kreeger, Dean, School of Nursing and Health Sciences at Capella University spoke about collaboration with Optum for necessary clinical rotations.

Motion by K. Lynch to approve Capella University Letter of Intent to establish an APRN education program.

Vote: Yes – 9 (Berntson, Elseth, How, Johnson, Lloyd Cunningham, Lynch, Muster, Pina, Simons).

No – 0; Abstain – 0; Absent- 3 (Anderson, Bible, Lee)

Motion Carried

Recommendation to Grant Approval of Rule Variance Petition

President Muster asked the board to consider granting approval of a petition for a discretionary rule variance for a faculty to have an encumbered license due to specific components of the SCO that requires the licensee remain in a current faculty position and not seek other nursing employment. Duration of the variation is through June 3, 2024, which is when the original stipulation can be brought to rest.

Motion by S. Simons to grant approval to the petition to the rule variance Minnesota Rule 6301.2340, subd 3.a.9e, for Herzing University's nursing program to continue to employ the licensee with limits on his registered nurse license as contemplated by the SCO. This is a recommendation based solely on these very specific and unique circumstances.

Vote: Yes – 9 (Berntson, Elseth, How, Johnson, Lloyd Cunningham, Lynch, Muster, Pina, Simons).

No – 0; Abstain – 0; Absent- 3 (Anderson, Bible, Lee)

Motion Carried

Recommendation to Adopt Policy to Not Permit Review and Challenge to Failure on NCLEX

President Muster, Chair of the Education Committee, recommended the board not permit review and challenge to failure candidates on NCLEX. President Muster

reported that NCLEX is a valid measure of assessment and cost is high to review.

Motion by S. Simons, seconded by K. Berntson, to adopt policy to not permit review and challenge to failure candidates on NCLEX.

Vote: Yes – 9 (Berntson, Elseth, How, Johnson, Lloyd Cunningham, Lynch, Muster, Pina, Simons).

No – 0; Abstain – 0; Absent- 3 (Anderson, Bible, Lee)

Motion Carried

Committee/Task Force Updates

Nominating Committee

S. Simons, head of the nominating committee, presented the slate of officer candidates for 2023: Laura Elseth for president, Lynette How for vice president, and Sarah Simons for secretary.

Motion by S. Simons to approve slate of candidates, seconded by President Muster.

Vote: Yes – 9 (Berntson, Elseth, How, Johnson, Lloyd Cunningham, Lynch, Muster, Pina, Simons).

No – 0; Abstain – 0; Absent- 3 (Anderson, Bible, Lee)

Motion Carried

NCSBN Approval Guidelines

L. How, representing the Education Committee, discussed NCSBN guidelines and quality indicators and how these measures would be very helpful in nursing education programs. These guidelines demonstrate alignment with other measures.

Recess

President Muster declared a brief recess at 9:33 a.m.

Return to Session

Meeting resumed at 10:03 a.m.

Board Member Development

Director Miller introduced Dr. Kathy Thomas, Executive Director of the Texas Board of Nursing. Dr. Thomas presented to the Board on the Texas Board of Nursing's use of an

individualized nursing re-education program KSTAR (Knowledge, Skills, Training, Assessment, and Research). Nurses who choose to complete an individual learning plan through KSTAR receive an individualized assessment of their practice issues, a tailored education plan, a mentor throughout the process, and an individualized evaluation at the completion of the education plan to determine if the practice issues have been remediated.

Core Value Reflection

President Muster led board members in a reflection on the core value of collaboration with internal and external stakeholders.

Recess

President Muster declared recess at 11:30 a.m.

Closed Session

President Robert Muster re-convened the meeting in closed session at 1:13 p.m. and declared a quorum present.

Board Members	Board Members - Roll Call	MBN Staff Members – Roll Call (present at various times)	Legal Counsel – Roll Call (present at various times)
Jacob Anderson	Absent	Kimberly Miller	Nicholas Lienesch
Katlynn Berntson	Present		Theresa Flahaven
Kaleeca Bible	Absent	Marilyn Krasowski	Hans Anderson
Laura Elseth	Present	Choose an item.	Keriann Riehle
Lynette How	Present	Stephen Shaffer	Allan Aguilar
Rhonda Johnson	Present	Choose an item.	Choose an item.
Latasha Lee	Absent	Mary Squires	Choose an item.
Jacqueline Lloyd Cunningham	Present	Choose an item.	Choose an item.
Katherine Lynch	Present		Choose an item.
Robert Muster	Present	Theresa Reichel	Choose an item.
Rui Pina	Present	Judy Berger	Choose an item.
Sarah Simons	Present	Stephanie Cook	Choose an item.

Latasha Lee, Board member, joined the meeting at 1:40 p.m.

The Board considered the following Discussion Agenda:

Rebecca Hannan, RN 1387803

Rebecca Hannan was scheduled to appear before the Board on December 1, 2022, to discuss allegations set forth in a Notice of Removal of Stay of Suspension, Imposition of Suspension, and Hearing with Stipulation and Consent Order issued February 3, 2022. Ms. Hannan and her attorney attended her scheduled hearing. Theresa Flahaven, Assistant Attorney General, presented oral argument on behalf of the Review Panel. The Board adopted an Order Rescinding Removal of Stay for the professional nursing license of Rebecca Hannan and determining that the Stipulation and Consent Order issued February 3, 2022 remains in effect.

Motion by Sarah Simons second by Rui Pina, that the Board adopt the Order Rescinding Removal of Stay. Vote was by roll call.

Vote: Yes – 5 (Berntson, How, Lloyd Cunningham, Lynch, Simons);

No – 3 (Johnson, Muster, Pina); Abstain – 1 (Lee); Absent – 2 (Anderson, Bible)

Motion Carried

Tanya Pudil, RN 1628588

Tanya Pudil was scheduled to appear before the Board on December 1, 2022, to discuss allegations set forth in a Notice of Removal of Stay of Suspension, Imposition of Suspension, and Hearing with Stipulation and Consent Order for Reinstatement issued April 7, 2022. Ms. Pudil attended her scheduled hearing. Allan Aguilar, Assistant Attorney General, presented oral argument on behalf of the Review Panel. The Board adopted a Findings of Fact, Conclusions, and Final Order suspending the professional nursing license of Tanya Pudil.

Motion by Sarah Simons second by Rui Pina, that the Board adopt the Findings of Fact, Conclusions, and Final Order for suspension. Vote was by roll call.

Vote: Yes – 8 (Berntson, How, Johnson, Lee, Lloyd Cunningham, Lynch, Pina, Simons);

No – 0; Abstain – 0; Absent – 2 (Anderson, Bible)

Motion Carried

A Nurse

A Nurse was scheduled to appear before the Board on December 1, 2022, to discuss allegations set forth in a Notice of Removal of Stay of Suspension, Imposition of Suspension, and Hearing. A. Nurse requested that the Board continue the hearing. The Board determined that matter would be continued to February 2, 2023.

Motion by Rui Pina second by Latasha Lee, that the Board continue the matter to February 2, 2023. Vote was by roll call.

Vote: Yes – 10 (Berntson, Elseth, How, Johnson, Lee, Lloyd Cunningham, Lynch, Muster, Pina, Simons);

No – 0; Abstain – 0; Absent – 2 (Anderson, Bible)

Motion Carried

Laura Tomaso, RN 1988558, LPN 586388

Laura Tomaso was scheduled to appear before the Board on December 1, 2022, to discuss allegations set forth in a Notice and Order for Prehearing Conference and Hearing. Ms. Tomaso attended her scheduled hearing. Theresa Flahaven, Assistant Attorney General, presented oral argument on behalf of the Review Panel. The Board adopted a Findings of Fact, Conclusions, and Final Order suspending the licensed practical and professional nursing licenses of Laura Tomaso.

Motion by Sarah Simons second by Katherine Lynch, that the Board adopt the Findings of Fact, Conclusions, and Final Order for suspension. Vote was by roll call.

Vote: Yes – 8 (Berntson, Elseth, How, Johnson, Lloyd Cunningham, Lynch, Pina, Simons);

No – 0; Abstain – 1 (Muster); Absent – 3 (Anderson, Bible, Lee)

Motion Carried

The Board considered the following Hearing Consent Agenda:

1. Nancy Lee, RN 893961, LPN 275770 – Suspension, Civil Penalty
2. Dawn Ogilvie, LPN 798668 – Suspension
3. Jillian Padgett, LPN 761268 – Suspension
4. Lynn Toay, LPN 593931 – Suspension

Motion by Rui Pina, seconded by Sarah Simons, that the Board adopt the Hearing Consent Agenda. Vote was by roll call.

Roll Call Vote:

Board Member	YES	NO	ABSTAINED FROM	ABSENT
Jacob Anderson	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Katlynn Berntson	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Kaleeca Bible	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Laura Elseth	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Dawn Ogilvie, Nancy Lee	<input type="checkbox"/>
Lynette How	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Rhonda Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Latasha Lee	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Jacqueline Lloyd Cunningham	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Katherine Lynch	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Robert Muster	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Lynn Toay	<input type="checkbox"/>
Rui Pina	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Jillian Padgett	<input type="checkbox"/>
Sarah Simons	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>

Motion Carried

The Board considered the following Stipulation and Consent Order Consent Agenda:

1. Jimmy O. Ogutu, RN 2465356 – Stayed Suspension
2. Jonelle Ignaszewski, RN 1086861, LPN 323622 - Suspension
3. Cathy P. Feddersen, RN 1826490, LPN 614946 – Stayed Suspension, Limitations, Conditions
4. Natasha Kowalowski, RN 1317145 – Suspension
5. Michelle R. Gabbard, RN 2027272, LPN 697400 – Suspension
6. Gladys M. Orina, LPN 739944, RN Applicant - Stayed Suspension, Limitations, Conditions
7. Megan M. Stucky, RN 2467967 - Civil Penalty, Stayed Suspension
8. Breanna L. Laabs, RN 2015158, LPN 666211 – Civil Penalty
9. Patricia K. Miller, RN 724768, APRN-CRNA 176 - Voluntary Surrender

Motion by Laura Elseth, seconded by Rhonda Johnson, that the Board adopt the Stipulation and Consent Order Consent Agenda. Vote was by roll call.

Roll Call Vote:

Board Member	YES	NO	ABSTAINED FROM	ABSENT
Jacob Anderson	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Katlynn Berntson	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Kaleeca Bible	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Laura Elseth	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Lynette How	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Rhonda Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Latasha Lee	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Jacqueline Lloyd Cunningham	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Katherine Lynch	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Robert Muster	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Rui Pina	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Sarah Simons	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>

Motion Carried

The Board considered the following matters on the Discussion Agenda:

Leslie J. Albrecht-Greco, APRN-CNP 6037, RN 1464483

The Board reviewed a proposed Stipulation and Consent Order to accept the reprimand, civil penalty of Leslie Albrecht-Greco's advance practice registered nurse and professional nurse licenses.

Motion by Rhonda Johnson seconded by Sarah Simons that the Board adopt the Stipulation and Consent Order. Vote was by roll call.

Vote: Yes – 9 (Berntson, Elseth, How, Johnson, Lloyd Cunningham, Lynch, Muster, Pina, Simons);

No – 0; Abstain – 0; Absent – 3 (Anderson, Bible, Lee)

Motion Carried

Leah R. Anderson, LPN 769545

The Board reviewed a proposed Stipulation and Consent Order to accept the suspension of Leah Anderson's practical nursing license.

Motion by Laura Elseth seconded by Rhonda Johnson that the Board adopt the Stipulation and Consent Order. Vote was by roll call.

Vote: Yes – 9 (Berntson, Elseth, How, Johnson, Lloyd Cunningham, Lynch, Muster, Pina, Simons);

No – 0; Abstain – 0; Absent – 3 (Anderson, Bible, Lee)

Motion Carried

Risa A. Luna, RN 2085010, LPN 649186

The Board reviewed a proposed Stipulation and Consent Order to accept the suspension of Risa Luna's professional and practical nurse licenses.

Motion by Katelynn Berntson seconded by Laura Elseth that the Board adopt the Stipulation and Consent Order. Vote was by roll call.

Vote: Yes – 9 (Berntson, Elseth, How, Johnson, Lloyd Cunningham, Lynch, Muster, Pina, Simons);

No – 0; Abstain – 0; Absent – 3 (Anderson, Bible, Lee)

Motion Carried

Sylvia Opoku, RN 1769793

The Board reviewed a proposed Stipulation and Consent Order to accept the Reprimand, Civil Penalty, Limitations, Conditions of Sylvia Opoku's professional nurse license.

Motion by Katlynn Berntson seconded by Rui Pina that the Board adopt the Stipulation and Consent Order. Vote was by roll call.

Vote: Yes – 9 (Berntson, Elseth, How, Johnson, Lloyd Cunningham, Lynch, Muster, Pina, Simons);

No – 0; Abstain – 0; Absent – 3 (Anderson, Bible, Lee)

Motion Carried

Mandy J. Dwyer, RN 2162632, LPN 737069

The Board reviewed a proposed Stipulation and Consent Order to accept the stayed suspension of Mandy Dwyer's professional and practical nurse licenses.

Motion by Laura Elseth seconded by Rui Pina that the Board adopt the Stipulation and Consent Order. Vote was by roll call.

Vote: Yes – 9 (Berntson, Elseth, How, Johnson, Lloyd Cunningham, Lynch, Muster, Pina, Simons);

No – 0; Abstain – 0; Absent – 3 (Anderson, Bible, Lee)

Motion Carried

Kathleen Krull, RN 1454655

The Board reviewed a proposed Stipulation and Consent Order to accept the revocation of Kathleen Krull's professional nurse license.

Motion by Katelynn Berntson seconded by Rui Pina that the Board adopt the Stipulation and Consent Order. Vote was by roll call.

Vote: Yes – 9 (Berntson, Elseth, How, Johnson, Lloyd Cunningham, Lynch, Muster, Pina, Simons);

No – 0; Abstain – 0; Absent – 3 (Anderson, Bible, Lee)

Motion Carried

Wesley Yaidoo, Applicant

The Board reviewed a proposed Stipulation and Consent Order to grant licensure and accept the stayed suspension, civil penalty, limitations, conditions of Wesley Yaidoo's practical nurse license.

Motion by Rui Pina seconded by Rhonda Johnson that the Board adopt the Stipulation and Consent Order. Vote was by roll call.

Vote: Yes – 9 (Berntson, Elseth, How, Johnson, Lloyd Cunningham, Lynch, Muster, Pina, Simons);

No – 0; Abstain – 0; Absent – 3 (Anderson, Bible, Lee)

Motion Carried

Kari S. Barankiewicz, RN 1366138, LPN 455723

The Board reviewed a proposed Stipulation and Consent Order to accept the voluntary surrender of Kari Barankiewicz's professional and practical nurse licenses.

Motion by Laura Elseth seconded by Katherine Lynch that the Board adopt the Stipulation and Consent Order. Vote was by roll call.

Vote: Yes – 9 (Berntson, Elseth, How, Johnson, Lloyd Cunningham, Lynch, Muster, Pina, Simons);

No – 0; Abstain – 0; Absent – 3 (Anderson, Bible, Lee)

Motion Carried

Kylie Larson, LPN 821186

The Board reviewed a proposed Stipulation and Consent Order to accept the voluntary surrender of Kylie Larson's practical nurse license.

Motion by Rhonda Johnson seconded by Rui Pina that the Board adopt the Stipulation and Consent Order. Vote was by roll call.

Vote: Yes – 9 (Berntson, Elseth, How, Johnson, Lloyd Cunningham, Lynch, Muster, Pina, Simons);

No – 0; Abstain – 0; Absent – 3 (Anderson, Bible, Lee)

Motion Carried

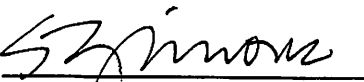
Adjourn

The meeting adjourned at 4:04 p.m.

Recorder:


KIMBERLY MILLER
Executive Director

Attest:


SARAH SIMONS
Secretary