MINNESOTA BOARD OF NURSING
MEETING MINUTES
August 3, 2017

The meeting was called to order at 8:30 a.m. August 3, 2017, in Conference Room A, 2829 University Avenue Southeast, Minneapolis, Minnesota by Michelle Harker, president.

Members Present
Joann Brown               Rui Pina
Julie Frederick           Sheila Robley
Sakeena Futrell-Carter   Eric Thompson
Becky Gladis             Pa Chua Vang
Michelle Harker          Laurie Warner
Bradley Haugen

Members Absent
June McLachlan
Robert Muster
Christine Norton
Steven Strand

Staff (present at various times)
Shirley Brekken          Mary Hoeppner
Kay Buchanan             Kimberly Miller
Ashley Cress             Daphne Ponds
Rene Cronquist           Judy Reeve
Barbara Damchik-Dykes    Julie Sabo
Leah Durland             Mary Squires
Becky Elmasry            Jeremy Wilson
Mariclaire England

Legal Counsel (present at various times)
Hans Anderson            Jennifer Middleton
Nicholas Lienesch        Tiffany Sedillos
Noah Lewellen

Mission Statement

J. Brown 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 B. Gladis, seconded by B. Haugen, to approve the August 3, 2017 meeting agenda.

Vote: Yes – 9 (Brown, Frederick, Futrell-Carter, Gladis, Harker, Haugen, Pina, Robley, Warner)

No – 0; Abstain – 0; Absent – 2 (Thompson, Vang)  
Motion Carried

President’s Report

President Harker asked board members to reflect on the core value of *Trust-integrating the obligation of confidence and authority expected of the Board by the public* during the meeting. She made the following acknowledgment:

The Minnesota Board of Nursing will be awarded the National Council of State Boards of Nursing (NCSBN) 2017 Regulatory Achievement Award. The award recognizes the member board or associate member that has made an identifiable, significant contribution to the mission and vision of NCSBN in promoting public policy related to the safe and effective practice of nursing in the interest of public welfare.

The following board members received National Council of State Boards of Nursing (NCSBN) Certificates of Appreciation for NCSBN committee service:

- Michelle Harker: Bylaws Committee 2016 – 2017
- Becky Gladis: NCLEX® Item Review Subcommittee 2016 – 2017
- June McLachlan: NCLEX® Item Review Subcommittee 2016 – 2017

The NCSBN Board of Directors reappointed Michelle Harker to the Bylaws Committee for a two-year term August 2017 - August 2019.

Executive Director’s Report

S. Brekken highlighted the following from her written report:

The Board is now into the third month of operating the new Advanced Licensure Information Management System (ALIMS) and data base. Board staff will soon begin the process for Phase II of the update to the licensure system which will integrate a discipline case management system. The Legislature recently approved a transfer of $500,000 from the Special Revenue Fund to the Odyssey Fund for Phase III, integration of an education module and further enhancements.

The enhanced Nurse Licensure Compact (eNLC) is now effective with North Carolina as the 26th state to enact the eNLC.
Acceptance of Responsibility

President Harker welcomed recently appointed board members Julie Frederick, registered nurse member; Rui Pina, registered nurse member; Pa Chua Vang, licensed practical nurse member; and Laurie Warner, public member and conducted the Acceptance of Responsibility as a Board Member.

New members affirmed their recognition of these responsibilities as members of the Board of Nursing and committed to meeting the obligations with integrity and sincerity of purpose.

Renewal of Oath of Continuing Members

The continuing board members recommitted their Acceptance of Responsibility as a Board Member.

Security Training

Barbara Clark, MN.IT Services, conducted the annual Information Technology (IT) Security training. IT Security is addressed on an annual basis to emphasize the importance of information security. The training goal is to protect information in any form.

Internal Operating Policies and Procedures

The Board reviews specific sections of the internal operating policies every three years, or as needed, for relevance and possible revision. The Executive Committee recommended revisions for policies related to Board Operations.

Motion by B. Haugen on behalf of the Executive Committee, to approve the revised policies for Board Operations.

Vote: Yes – 10 (Brown, Frederick, Futrell-Carter, Gladis, Harker, Haugen, Pina, Robley, Vang, Warner)

No – 0; Abstain – 0; Absent – 1 (Thompson)  Motion Carried

Attachment II.B

Consent Agenda

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<td>Licensure Statistics: March – April 2017</td>
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<td>Disposition of Complaints: May – June 2017</td>
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<td>APRN Advisory Council Minutes:</td>
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Commitment to Ongoing Regulatory Excellence (CORE) Report

J. Sabo reported the purpose of the Commitment to Ongoing Regulatory Excellence (CORE) project, which is administered by the National Council of State Boards of Nursing (NCSBN), is to provide an ongoing performance measurement and benchmarking system for nursing regulators. CORE provides and compares data that can be used for performance measurement and to determine organizational enhancements by boards of nursing. Sabo presented key findings for 2012, 2014 and 2016.

Motion by B. Haugen, on behalf of the Data Resources Committee, that the Board charge the Data Resources Committee to develop a framework for a performance improvement plan which addresses the functions of licensure, practice, discipline, and education for the Board of Nursing, with a target date to report to the Board by April 2018.

Vote: Yes – 11 (Brown, Frederick, Futrell-Carter, Gladis, Harker, Haugen, Pina, Robley, Thompson, Vang, Warner)

No – 0; Abstain – 0; Absent – 0

Motion Carried

Adoption of Proposed MR 6305 and 6310 Rules Governing Advanced Practice Nurses

At the August 4, 2016 board meeting, the Board approved proposed amendments to and repeal of Minnesota Rules Chapter 6305 and 6310 relating to advanced practice, professional, and practical nurse licensure and registration. The Notice of the Board’s Intent to Adopt Rules without a public hearing was published in the State Register on May 15, 2017. During the comment period, one comment was received requesting reasoning for differences between advanced practice and professional/practical nurse eligibility for licensure, resolution of deficiencies in education, allowable official of a
Adoption of Proposed MR 6305 and 6310 Rules Governing Advanced Practice Nurses (cont’d)

program to sign confirmation of program completion, and addition of completion of three graduate level coursework in specific areas. One unsolicited comment was received prior to the request for comments in support of the revision of the continuing education time period from 50 to 60 minutes, inclusion of interprofessional learning activities and alignment of continuing education requirements with national organizations and standards. The Revisor’s office made editorial changes and there were no substantive changes made to the proposed rules.

Motion by B. Gladis, seconded by S. Futrell-Carter, that the Board adopt the revised rules governing advanced practice, professional, and practical licensure and registration (Minnesota Rules Chapter 6305 and 6310).

Vote:  Yes – 11 (Brown, Frederick, Futrell-Carter, Gladis, Harker, Haugen, Pina, Robley, Thompson, Vang, Warner)

No – 0; Abstain – 0; Absent – 0

Motion Carried

Attachment IV.B

Summary Plans of Corrective Action for 2016 Below Minimum Standard NCLEX® Success Rates

M. Hoeppner reported on the Summary of 2016 Plans of Corrective Action for Below Minimum Standard NCLEX Success Rates. If success rates are 75 percent or less for one calendar year, the Board requires the school’s program director to identify factors that are potentially affecting the low success rate on licensure examinations. The program director is required to submit a plan of corrective action. If in the following year the success rate is above 75 percent, no action by the Board is required.

Six programs were required to submit plans of corrective action for NCLEX® pass rates of 75% or below for one period – 2016:

Practical Nursing Programs:
  • Fond du Lac Tribal and Community College
  • Minnesota State College – Southeast

Associate Degree Nursing Programs:
  • Minnesota West Community & Technical College
  • Rasmussen College – Blaine

Baccalaureate Nursing Program:
  • Bethel University

Masters Entry Nursing Program
  • Metropolitan State University

M. Hoeppner further reported if success rates are 75 percent or less for any two consecutive calendar years, the Board is required to notify the program’s director of an
Summary Plans of Corrective Action for 2016 Below Minimum Standard NCLEX® Success Rates (cont’d)

on-site survey to identify additional factors affecting the low success rate and review progress on the plan of corrective action submitted the previous year.

Five programs were required to participate in on-site surveys and to submit revised plans of corrective action for NCLEX pass rates of 75% or below for two periods:

Practical Nursing Program:
• Hennepin Technical College Practical Nursing Program

Associate Degree Nursing Programs:
• Central Lakes College
• Fond Du Lac Tribal and Community College
• Minnesota State College – Southeast
• Northwest Technical College - Bemidji

Executive Committee

President Harker deferred the Board Member Services Report to the October meeting.

Board Member Development

S. Harker facilitated discussion regarding strategies to be an effective board member. Experienced board members each provided their own suggestions about developing oneself as an effective board member.

Hans Anderson, AAG, provided an overview of government data practices statutory requirements as provided in Minnesota Statute Chapter 13. This chapter regulates the collection, creation, storage, maintenance, dissemination, and access to government data in government entities.

Core Value Reflection

President Harker led the board members in a reflection on the core value of Integrity, enforcing laws and rules ethically, to identify how the Board has demonstrated this value in its deliberation and decision making.

Recess

President Harker declared a recess at 12:15 p.m.
Closed Session

President Harker convened the meeting in closed session at 12:50 p.m. and declared a quorum present.

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

1. Jodi Bergordis, RN 183328-9 – Civil Penalty, Limitations, Conditions
2. Joy Bjerke, RN 146778-1, LPN 53093-6 - Suspension
3. Marissa Clauson, RN 229546-0 – Suspension
4. Shawn Fitzgerald, RN 172548-1 – Voluntary Surrender
5. Joy Hansen, APRN-CNS 0483, RN 95831-4 – Civil Penalty, Suspension
6. Dawn Holcombe, RN 242157-7 – Voluntary Surrender
7. Karen Holland, RN Endorsement Applicant – Reprimand, Civil Penalty
8. Justin Kelley, RN 216376-7, LPN 73592-2 – Suspension
9. Aaron Johnson, RN 232414-0 - Suspension
10. Amy Lehman, LPN 79452-3 – Suspension
11. Shalya Mattson (Line), LPN 46672-5 – Voluntary Surrender
12. Kimberly Myers, LPN 81365-3 – Voluntary Surrender
13. Amanda Olsen, RN 200985-0 - Suspension
14. Deborah Palodichuk, RN 84749-6, LPN 17306-3 – Voluntary Surrender
15. Chaleah Robinson, RN 229718-3 - Suspension
16. Emily Swanson, LPN 66526-7 – Suspension
17. Heather Sue, RN 239493-4 – Suspension
18. Janet Tidgwell, RN 132460-4 – Limitations, Conditions
19. Leah Williams, RN 241692-2 – Voluntary Surrender

Motion by S. Robley, seconded by B. Haugen, that the Board adopt the Stipulation and Consent Order Agenda and issue the Orders effective August 3, 2017.

Vote:  Yes – 10 (Brown, Frederick, Futrell-Carter, Gladis, Harker, Haugen, Pina, Robley, Thompson, Vang)

No – 0; Abstain – 1 (Warner); Absent – 0  Motion Carried

Cole Carlson, RN 181186-1

Cole Carlson attended a conference with the Board of Nursing Review Panel on May 26, 2017, the Panel including Michelle Harker, Board member. The Board reviewed the resulting proposed stipulation and consent order to suspend Mr. Carlson’s registered nurse license and stay the suspension based on Mr. Carlson’s compliance with the Order, assess Mr. Carlson a $1,500.00 civil penalty and place limitations and conditions on the license.

Motion by S. Robley, seconded by J. Brown, that the Board adopt the Stipulation and Consent Order as proposed and issue the Order effective August 3, 2017.
Cole Carlson, RN 181186-1 (cont’d)

Vote: Yes – 9 (Brown, Frederick, Futrell-Carter, Gladis, Harker, Haugen, Robley, Thompson, Vang)

No – 0; Abstain – 2 (Pina, Warner); Absent – 0  Motion Carried

The Petition Consent Agenda included the following cases:

Petition for Reinstatement:

1. Sara Ceniceros, RN 148669-4 - Stipulation and Consent Order for Reinstatement (Stayed Suspension, Limitations, Conditions)
2. Vaughn Klingenberg, LPN 48528-5 - Stipulation and Consent Order for Reinstatement (Stayed Suspension, Limitations, Conditions)
3. Lindsey Sears, RN 181724-7 - Stipulation and Consent Order for Reinstatement (Stayed Suspension, Limitations, Conditions)

Motion by B. Haugen, seconded by S. Robley, that the Board adopt the Petition Consent Agenda and issue the Orders effective August 3, 2017.

Vote: Yes – 10 (Brown, Frederick, Futrell-Carter, Gladis, Harker, Haugen, Pina, Robley, Thompson, Vang)

No – 0; Abstain – 1 (Warner); Absent – 0  Motion Carried

Craig Hall, RN 119052-4, LPN 38515-2

Craig Hall was issued a Findings of Fact, Conclusions and Final Order on January 1, 2014. On July 12, 2017, Mr. Hall attended a conference with the Board of Nursing Review Panel to discuss Mr. Hall’s petition for reinstatement of his registered and practical nurse licenses, the Panel including Michelle Harker, Board member. The Board reviewed materials submitted by Mr. Hall in support of his petition.

Motion by S. Robley, seconded by B. Gladis, that the Board reinstate the registered and practical nurse licenses of Mr. Hall, suspend Mr. Hall’s registered and practical nurse licenses and stay the suspension based on Mr. Hall’s compliance with the Order and place limitations and conditions on the licenses, effective August 3, 2017.

Vote: Yes – 10 (Brown, Frederick, Futrell-Carter, Gladis, Harker, Haugen, Pina, Robley, Thompson, Vang)

No – 0; Abstain – 1 (Warner); Absent – 0  Motion Carried
Meeting recessed at 1:00 p.m. and resumed at 1:35 p.m. in closed session to discuss the following cases.

Secretary Sheila Robley assumed the chair

**Deanna Alama, APRN-CNP 3617, RN 157324-8, LPN 53475-4**

Deanna Alama agreed to and signed a Stipulation to Facts and Violations on March 29, 2017. Ms. Alama’s attorney, Laura Moehrle, attended the hearing in person and Ms. Alama attended the hearing by telephone. Assistant Attorney General Hans Anderson presented oral argument on behalf of the Review Panel. Ms. Moehrle presented oral argument on behalf of Ms. Alama. Ms. Alama responded to questions from the Board members. Michelle Harker and Bradley Haugen, Board members on the Review Panel, and Assistant Attorney General Hans Anderson were excused and did not participate in the deliberation or voting. Assistant Attorney General Nicholas Lienesch advised the Board.

**Motion** by B. Gladis, seconded by S. Futrell-Carter, that the Board authorize Assistant Attorney General Nicholas Lienesch to make editorial revisions in the proposed Order, accept the Findings of Fact, Conclusions and Final Order of the Review Panel, as revised, and issue the Order revoking Ms. Alama’s advanced practice registered, professional and practical nurse licenses effective the date of service (August 18, 2017).

Vote: Yes – 8 (Brown, Frederick, Futrell-Carter, Gladis, Pina, Robley, Thompson, Vang)  
No – 0; Abstain – 1 (Warner); Absent – 2 (Harker, Haugen)  
**Motion Carried**

President Michelle Harker resumed the chair

**Julitta Adu-Gyamfi, RN 184096-8, LPN 58788-2**

A Notice of and Order for Prehearing Conference and Hearing was served to Julitta Adu-Gyamfi on July 15, 2016, scheduling a prehearing conference on August 23, 2016. Ms. Adu-Gyamfi and her attorney Michael Weber attended the prehearing conference and the May 10, 11 and 15, 2017, hearing at the Office of Administrative Hearings. Ms. Adu-Gyamfi and Mr. Weber also attended the hearing before the Minnesota Board of Nursing. Assistant Attorney General Tiffany Sedillos presented oral argument on behalf of the Review Panel. Michael Weber presented oral argument on behalf of Ms. Adu-Gyamfi. Bradley Haugen and Sheila Robley, Board members on the Review Panel, and Assistant Attorney General Tiffany Sedillos were excused and did not participate in the deliberation or voting. Assistant Attorney General Gregory Schaefer advised the Board.
Julitta Adu-Gyamfi, RN 184096-8, LPN 58788-2 (cont’d)

Motion by B. Gladis, seconded by S. Futrell-Carter, that the Board authorize Assistant Attorney General Gregory Schaefer to make editorial revisions in the proposed Order, accept the Findings of Fact, Conclusions and Final Order of the Review Panel, as revised, and issue the Order assessing Ms. Adu-Gyamfi a civil penalty and place limitations and conditions on Ms. Adu-Gyamfi’s registered and practical nurse licenses effective the date of service (August 15, 2017).

Vote: Yes – 7 (Brown, Futrell-Carter, Gladis, Harker, Pina, Thompson, Vang)

No – 0; Abstain – 2 (Frederick, Warner); Absent – 2 (Haugen, Robley)  Motion Carried

Motion by J. Frederick, seconded by J. Brown, to amend the Final Order to reduce the hearing costs be reduced from $27,593.50 to $10,000.

Vote: Yes – 1 (Thompson)

No – 6 (Brown, Futrell-Carter, Gladis, Harker, Pina, Vang)

Abstain – 2 (Frederick, Warner); Absent – 2 (Haugen, Robley)  Motion Failed

Mary Allen, RN 91233-4

A Notice of and Order for Prehearing Conference and Hearing was served to Mary Allen on January 9, 2017, scheduling a prehearing conference on February 22, 2017. Ms. Allen attended the prehearing conference and hearing. Administrative Law Judge, LauraSue Schlatter issued the Recommendation and Order on Review Panel’s Motion for Summary Disposition and Request for Certification on June 29, 2017. Assistant Attorney General Jennifer Middleton presented oral argument on behalf of the Review Panel. Ms. Allen made a statement and responded to Board members questions. Assistant Attorney General Jennifer Middleton was excused and did not participate in the deliberation or voting. Assistant Attorney General Nicholas Lienesch advised the Board.

Motion by B. Gladis, seconded by J. Brown, to authorize Assistant Attorney General Nicholas Lienesch to make editorial revisions in the proposed Order, accept the Findings of Fact, Conclusions and Final Order of the Review Panel, as revised, and issue the Order revoking Ms. Allen’s registered nurse license.

Ms. Gladis withdrew her motion and Ms. Brown agreed.
Mary Allen, RN 91233-4 (cont’d)

**Motion** by B. Gladis, seconded by J. Brown, to delete “accordingly and adopts and incorporates” on page 2 of the proposed Order and the Fact, Conclusions and Final Order of the Review Panel.

Vote: Yes – 10 (Brown, Frederick, Futrell-Carter, Gladis, Harker, Haugen, Pina, Robley, Thompson, Vang)

No – 0; Abstain – 1 (Warner); Absent – 0  
Motion Carried

**Motion** by B. Gladis, seconded by J. Brown, to authorize Assistant Attorney General Nicholas Lienesch to make editorial revisions in the proposed Order, accept the Findings of Fact, Conclusions and Final Order of the Review Panel, as revised, and issue the Order revoking Ms. Allen’s registered nurse license effective the date of service (August 23, 2017).

Vote: Yes – 10 (Brown, Frederick, Futrell-Carter, Gladis, Harker, Haugen, Pina, Robley, Thompson, Vang)

No – 0; Abstain – 1 (Warner); Absent – 0  
Motion Carried

A Nurse

The Board members considered the Review Panel’s Notice of Petition and Petition for Reconsideration. Assistant Attorney General Tiffany Sedillos on behalf of the Review Panel requested the Board to grant reconsideration of Order Recommending Default and to remand the matter back to the Administrative Law Judge Eric Lipman to conduct a prehearing conference to determine whether disciplinary action should be taken against A Nurse. Bradley Haugen, Board member and Tiffany Sedillos were excused and did not participate in the deliberation or voting. Assistant Attorney General Nicholas Lienesch advised the Board.

**Motion** by S. Robley, seconded by J. Brown, that the Board authorize Assistant Attorney Nicholas Lienesch to make editorial revisions to the Findings of Fact, Conclusions and Order Granting Motion for Reconsideration and Remanding Back to Administrative Law Judge for Reconsideration of A Nurse and issue the Order effective date of service (September 6, 2017).

Vote: Yes – 11 (Brown, Frederick, Futrell-Carter, Gladis, Harker, Haugen, Pina, Robley, Thompson, Vang, Warner)

No – 0; Abstain – 0; Absent – 0  
Motion Carried
The Board considered the following Hearing Consent Agenda:

1. Crystal Carter, Endorsement Applicant – Denial of License (Christine Norton, Sheila Robley)
3. Cynthia Ellingson, RN 154015-8 – Suspension, Civil Penalty (Sheila Robley)

Motion by B. Haugen, seconded by J. Brown, that the Board adopt the Hearing Consent Agenda and authorize Assistant Attorneys General Nicholas Lienesch and Gregory Schaefer, to make nonsubstantive, editorial revisions as needed.

Roll Call Vote:

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<th>Board Member</th>
<th>YES</th>
<th>NO</th>
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<td>Joann Brown</td>
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<td>Michelle Harker</td>
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<td>Crystal Carter, Mary Desmond, Cynthia Ellingson</td>
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Motion Carried

Adjourn

The meeting adjourned at 5:30 p.m.

Recorder: _______________________
Shirley A. Brekken
Executive Director

Attest: _______________________
Sheila Robley
Secretary