



IDAHO DIVISION OF OCCUPATIONAL & PROFESSIONAL LICENSES



BRAD LITTLE - GOVERNOR
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NICKI CHOPSKI - EXECUTIVE OFFICER
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BOARD OF NURSING
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Board Meeting Minutes - 02/03/2022

BOARD MEMBERS PRESENT: Deena Rauch, DNP, RN – Chair
Jennifer Hines-Josephson, RN – Vice Chair
Clayton Sanders, RN, APRN, CRNA
Kara Mahannah, LPN, PRN Chair
Kit Batchelor, LPN
Kristi Permann, RN
Laura Pisca, RN
Renée Watson, RN

BOARD MEMBERS ABSENT: Cindy Hone, Public Member

DIVISION STAFF: Nicki Chopski, PharmD, Executive Officer
Yvonne Dunbar, General Counsel
Berk Fraser, RPh, Chief Investigator, Health Professions
Frutoso Gonzalez, Medical Investigator
Jan Arrasmith, Education & Practice Specialist
Jennifer Stelle, Investigator
Jessica Solis, Administrative Assistant
Katie Stuart, CIP, Board Services Manager
Madyson Crea, Customer Service Representative
Matthew Post, Administrative Assistant
Mike Celeste, Investigations Supervisor
Pam Rebolo, Board Support Supervisor
Stephanie Lotridge, Licensing and Registration Program Manager
Susan Cassell, Board Support Specialist

OTHER ATTENDEES: Karen Sheehan, DAG, Board Counsel
Keegan Hahn, DAG, Board Prosecutor
Randall Hudspeth, PhD, APRN – Idaho Center for Nursing

CONVENED

Dr. Rauch called the meeting to order at 8:45 AM MST.

INTRODUCTIONS

Dr. Rauch led introductions of the Board, Ms. Chopski introduced Division staff, and Mr. Fraser introduced the investigations team. Dr. Rauch recognized Ms. Batchelor for her service to the Board as this is Ms. Batchelor's final meeting before moving out of state.

APPROVAL OF MINUTES

Ms. Hines-Josephson made a motion to approve the minutes of 11/4/2021 as amended. Ms. Pisca seconded. Motion carried.

DIVISION BUSINESS

DIVISION UPDATE

Ms. Chopski informed the Board that the Division's Org Chart 3 is complete; and staff will be moving into Building 4 at Chinden in July.

She informed the Board members of a recent vacancy from the departure of an investigator. The position has been posted with a preference for an RN or APRN. More than twenty candidates have applied and are under review.

Ms. Chopski stated that while the Request for Proposal (RFP) process for a DOPL licensing system is ongoing, there is no current plan for the Board of Nursing to change systems.

LEGISLATIVE UPDATE

Legislative Day at the Capitol for Nursing is 2/17/2022. Ms. Chopski plans to attend and has been asked to present at the Legislative Conference that follows that afternoon.

Ms. Chopski stated that rules were heard by the Health and Welfare committees. While discussing agency legislation, Ms. Chopski explained that S1233 would allow Bureau investigators with the Division to collaborate without a subpoena and S1244 would allow the Division Administrator to establish advisory committees as needed in conjunction with boards and commissions. She stated that the APRN Advisory Committee will continue for now, and the bill has the support of multiple professional nursing organizations. S1246 is a bill that aligns the scheduling of controlled substances with the DEA's scheduling.

Ms. Chopski stated as non-agency legislation, there is also H0446 which would amend the existing law to provide that Nabiximols would not be approved for use in Idaho following FDA approval and DEA scheduling. This medication is indicated as a treatment for Multiple Sclerosis.

Governor Little sent the Division Administrator a letter recommending that Health and Welfare's Division of Licensing and Certification be moved to DOPL. This group licenses and inspects 18 types of healthcare facilities such as hospitals, nursing homes and assisted living facilities. It also manages the Idaho Certified Nurse Aid Registry.

FINANCIAL UPDATE

Ms. Chopski stated that currently there is no financial report and updated the Board that the statewide financial system is getting a new database. Ms. Chopski also stated that Linda Brown, who is the Division's financial officer, will be giving a financial report at the next Board meeting and is working on a frequently asked questions page for all Boards.

INVESTIGATION AND DISCIPLINE UPDATE

Mr. Fraser, Chief Investigator for Health Professions, introduced Mike Celeste, Investigations Supervisor, to the Board and stated that the investigations process for Nursing has not changed but is under review as are all of the discipline processes. He stated that there will be an effort to bring discipline cases to the Board for review at the next regular Board meeting.

BOARD BUSINESS

ZERO BASED REGULATION

Ms. Chopski stated that the Board of Nursing will undergo Zero Based Regulation (ZBR) review in fiscal year 2023 in accordance with Governor Little's Executive Order 2020-01. Reference materials detailing the process were provided and reviewed with the Board. Two additional meetings were set that will specifically focus on ZBR: March 24, 2022, and July 14, 2022. Specific stakeholder meetings will also be scheduled to provide additional opportunities to gather stakeholder input.

Ms. Chopski then shared analysis on the topic of continuing education (CE) as an example of how the prospective analysis process will be used. Of note, twelve states have no requirement for CE and two of those are MT and SD. Following Board discussion on the topic, the Board provided direction to staff to return with a draft that would eliminate the CE requirements for LPN and RN licensees. Staff was also tasked with identifying evidence in the literature that supports that mandatory continuing education proves competence.

Next, the discussion turned to focus on nursing education and approval of programs. Ms. Arrasmith then provided her education update.

EDUCATION UPDATE

Ms. Arrasmith made a presentation on State Board of Nursing Education Review and Accreditation, with information about nursing accrediting bodies, the current accreditation status of Idaho nursing programs, and neighboring state's educational requirements.

Following the summer retreat and ongoing conversations at the fall meeting, the Board continued its discussion on the topic. Ms. Hines-Josephson indicated she would be supportive of moving to an accreditation requirement with a provision for compliance by "X date". Several additional Board members agreed. When asked about employing a bifurcated approach as a handful of in-state LPN programs are not currently accredited, Ms. Watson indicated she would be in favor of all programs going the route of accreditation. There was general agreement amongst the Board members. In providing direction for Board staff, it was mentioned that there should be inclusion of a process by which if a program goes astray the Board would have the ability to rescind approval. Further there was consensus that the Board should be included in the site visit process

used by accrediting organizations. Board staff acknowledged that was enough direction to get a draft started for review at the next meeting.

APRN ADVISORY COMMITTEE UPDATE

The APRNAC did not meet in January but will be meeting prior to the Board of Nursing Meeting in May.

PRN ADVISORY COMMITTEE UPDATE

Ms. Mahannah presented the PRN Advisory Committee (PRN-AC) Report for the 2nd quarter. Ms. Stuart stated that there is a current Request for Proposal (RFP) for recovery vendors which would allow the program to expand to all health professions boards.

IDAHO CENTER FOR NURSING UPDATE

Dr. Randall Hudspeth, Executive Director of Idaho Center for Nursing (ICN), informed the Board that the Interim Nursing Workforce Report for October 2021 – January 2022 is now available on their website, as well as other educational and resource materials. Dr. Hudspeth also mentioned legislation that will be introduced to assist with nurse loan repayment, particularly in rural areas.

PUBLIC COMMENTS

There were no public comments as no members of the public were in attendance.

CONSENT AGENDA

Mr. Sanders moved to approve the Consent Agenda as amended, removing the travel portion of the agenda. Ms. Hines-Josephson seconded. Motion carried.

TRAVEL CALENDAR

Administrator Barron requested travel to the NLC Commissioner's Meeting in St. Louis on March 14th. Ms. Chopski, Dr. Rauch, and Ms. Permann will attend the National Council of State Boards of Nursing (NCSBN) Midyear Meeting in St. Louis from March 15th – March 17th. There are two available NCSBN waivers provided for travel to the meeting. The meeting has a free virtual component that can be accessed by interested Board members. Ms. Stuart will attend the National Organization for Alternative Programs (NOAP) conference on alternative programs in Albuquerque from May 16th – May 19th. The Board agreed on the intended conference attendance and travel requests by unanimous consent.

ADJOURN

There being no further business, the meeting was adjourned by general consent at 12:42 PM MST on February 3, 2022.

The next Idaho Board of Nursing meeting will be March 24th, 2022 at 8:30 AM.