



State of Idaho  
Division of Occupational and Professional Licenses  
Board of Nursing

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**Minutes of 11/03/2022**

<b>Board Members Present:</b>	Deena Rauch, DNP, RN -Chair Jennifer Hines-Josephson, RN – Vice Chair Cindy Hone, Public Member Kristi Permann, RN Kara Mahannah, LPN, PRN Chair Clayton Sanders, RN, APRN, CRNA Laura Pisca, RN Renée Watson, RN Christine Main, LPN	<b>Division Staff:</b>	Nicki Chopski, Executive Officer, Pharm D Russell Barron, Division Administrator Katie Stuart, Board Support Program Manager Stephanie Lotridge, Licensing Program Manager Nicholas Krema, Legal Counsel Berk Fraser, Chief Investigator Mike Celeste, Investigations Supervisor Shaun Eichman, Investigator Tyler Graves, Investigator Christopher Gilliam, Human Resources Specialist, Sr. Jan Arrasmith, Practice and Education Susan Cassell, Board Support Susan Villanueva, Board Support
		<b>Others Present:</b>	Brian Church, Deputy Attorney General

The meeting was called to order at 8:30 AM by Dr. Rauch.

**Approval of Minutes**

Motions to approve 08/11/2022 and 10/11/2022 minutes were made and seconded. Motions carried unanimously.

**DIVISION BUSINESS**

**Division Update:** Dr. Chopski made the Board aware of the upcoming strategic plan rollout to staff, noting that the Board can expect to receive the strategic plan at its next meeting. Highlights of the plan include streamlining of discipline processes and zero based regulation (ZBR) processes the Board has been working on. Next, she introduced Mr. Eichman and Mr. Graves from the investigations team who attended the National Council of State Boards of Nursing (NCSBN) Basic Board of Nursing Investigator Training (BBONIT). The investigators reported that the training increased their confidence in auditing records and working with drug diversion programs. Per Dr. Chopski, the recent staff additions to the Board of Nursing have brought more nurses into the Program for Recovering Nurses than the previous two years, leading the way for Idaho licensure boards' recovery programs.

Board members received a survey regarding 2023 meeting dates; dates will be set soon.

**Financial Report:** Board members reviewed documents on Fiscal Year 2022 and 2023.

## **BOARD BUSINESS**

**CSI Update:** Tammy Pehrson, Practical Nurse (PN) Program Manager from the College of Southern Idaho (CSI), updated the Board about the recent NCLEX pass rate for the PN program at CSI. CSI has implemented new courses and measurement tools and will have more data at the next update. The application dates have been extended to January 7, 2023, for a January 9, 2023, start date. Ms. Pehrson has been speaking to allied health students and related programs to market the program as a “career in a year”. The Board was pleased with the most recent NCLEX test results report provided to them and took no further action.

**CWI Accelerated Program:** Dr. Allison Baker presented the Board with their application to offer an accelerated Associate of Nursing (ASN) track at the College of Western Idaho (CWI). The accelerated program will have the same requirements as the traditional ASN program but will reduce the training time by nearly half, increasing the number of RNs who will be eligible to enter the workforce. A motion was made and seconded to approve the program. The motion carried.

**Nurse Apprentices presentation:** Reuben DeKastle discussed selected slides from his PowerPoint presentation on the Student Nurse Apprentice Program (SNAP) in place at some St. Luke’s facilities, including the history of the program before and since the COVID-19 pandemic. Dr. Rauch reminded the Board that the current rule chapter allows nurse apprentices and other Unlicensed Assistive Personnel (UAP) to work at the level of a certified nursing assistant (CNA), rather than up to the level of education, training, and experience. Dr. Rauch and Ms. Mahannah would like to engage stakeholders in a larger discussion on nurse apprentices and recommended the Tri-Council concept. Dr. Chopski reviewed the current pathways to changing nurse apprentice duties, including applying for a waiver to continue the SNAP program and utilizing the rulemaking process. Ms. Hines-Josephson and Mr. Sanders shared concerns about having students self-regulate nursing tasks and having to draw hard lines with employers to remain compliant with UAP duties. Ms. Hone relayed a patient perspective and wants to ensure that staffing levels will not be affected by limiting nurse apprentices to UAP duties; staffing is the responsibility of employers, but nurse apprentices can continue to support patients and RNs in their current role.

The Board Chair called for public comment. Maura Cash, Nurse Residency Program manager at Kootenai Health, spoke in support of the expanded scope for nurse apprentices. Jen Briggs, PN Clinical Instructor at Idaho State University (ISU) supports the enhanced concept and applauds facilities that have created structured programs but assures the Board that “mission creep” is happening in certain types of facilities. Dr. Chopski reviewed the board’s options which include waivers, enforcement discretion, pilots, informal workgroups discussions with stakeholders, and more formal sub-committees. Ms. Mahannah emphasized the importance of clearly delineated and communicated information with defined parameters for practice. Ms. Watson thanked the commenters and agreed that the program at St. Luke’s is likely sufficient, but she’s less comfortable with approval across the board for all employers/facilities.

A motion was made and seconded to stand firm on the current rules of the Board regarding the function of nurse apprentices. The motion carried unanimously. The Board directed Division of Occupational and Professional Licenses (DOPL) staff to send letters to the schools, the registered employers, and the nurse apprentices on the current rule. Staff has been directed to set up informal stakeholder meetings to further discuss the topic.

**Board Training:** Mr. Gilliam, Human Resources, presented the Board with the DOPL Respectful Workplace training.

**Zero Based Regulation (ZBR):** The Board requested a final walkthrough of the pending Rule chapters.

002. Definitions 15 and 16: Types of nurses were added to definitions as directed by the Board. The reference to statute definition was added for clarity.

002. Definition 29: Similar to above, moved to definition as directed by the Board. The title of the definition was updated appropriately.

003.02: Removed “Vocational” nurse because it was not used in the chapter. Titles are consistent with the National Council of State Boards of Nursing (NCSBN); no change was made to 003.03.

100.01: Public feedback suggested language about family members who are providing care to relatives but are not providing formal nursing care; this language will be added to policy rather than Rule.

100.c.i: The Board discussed keeping a reference to practical nurses in the nurse apprentice section that is and has traditionally been in rule. Ms. Mahannah noted that while there is no current pathway for PN to nurse apprentice, it may be possible in the future. A motion was made and seconded to keep the current language. Motion carried.

100.02: There was no further comment on the only one-license exception for Nurse Practitioners.

100.11. c and d: Public comment included a suggestion to strike because certification standards are higher than licensure continuing education (CE) requirements. A motion was made and seconded to strike the language as suggested. Motion carried.

150: There was no comment received during the official negotiated rule making public comment period following publication of the proposed rules.

200.04: Feedback received from the APRN advisory committee was to be consistent in the use of client versus patient. Staff noted there are 8 instances of the word “client” and 38 instances of the word “patient” in the document. A motion was made and seconded to change all references from “client” to “patient”. The motion carried.

300 and 400: Had no further public comment.

Staff also noted there has been no public comment received on the proposed elimination of required continuing education for registered nurses and practical nurses.

Dr. Rauch called for public comment on the revised rule chapter. Dr. Chopski read written comments received from stakeholders after the official public comment period had closed and board meeting materials had already been distributed to the Board. An email from Jodene Trimble from the College of Eastern Idaho had concerns about the new accreditation model in addition to asking how the Board will help increase enrollment while keeping clinical sites amidst competition from private nursing schools. An email from Ms. Briggs inquired about the best way to monitor Board activity and provide input to members. She also expressed concerns about the “sweeping changes” to require accreditation for nursing education. Dr. Chopski then summarized her response to Ms. Briggs’ email for the board. No further public comment was provided on the rule chapter.

A motion was made and seconded to move the rules from proposed to pending. Motion carried. The pending rules for the Board of Nursing will be published in the December Administrative Bulletin. Dr. Rauch thanked the Board for their diligent work. Dr. Chopski also thanked the Board, noting that the next steps will be to review the Board’s policies and philosophies.

**PRN Committee Appointment:** A motion was made and seconded to accept the application for Scott Watkins to serve as a committee member of the Program for Recovering Nurses. Motion carried.

**Vice-Chair Election:** A motion was made and seconded to re-elect Jennifer Hines-Josephson as vice-chair. Motion carried.

**Licensure Comparison:** Dr. Chopski presented an overview of nursing licenses over the past four years.

**CNA Workgroup:** Dr. Chopski provided a verbal summary of the meeting materials provided to the Board. Health and Welfare will retain oversight of the CNA registry. Draft language is due by Friday. Staff will share with the board.

**Consent Agenda:** The Board did not pull any items off the consent agenda for discussion.

#### **EXECUTIVE SESSION**

A motion was made and seconded to enter Executive Session pursuant to Idaho Code § 74-206(1)(f)] to discuss pending litigation with legal counsel. The vote was: Ms. Hines-Josephson, aye; Ms. Hone, aye; Ms. Permann, aye; Ms. Mahannah, aye; Mr. Sanders, aye; Ms. Pisca, aye; Ms. Watson, aye; Ms. Main, aye; Dr. Rauch, aye. The motion carried.

A motion was made and seconded to exit Executive Session. The motion carried.

#### **Adjourn**

There being no further business, the meeting was adjourned at 12:23 PM.

The next meeting is TBD.