



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

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Minutes of 01/25/2024

Board Members Present:	Deena Rauch, DNP, RN – Chair Jennifer Hines-Josephson, RN – Vice Chair Kristi Permann, RN Kara Mahannah, LPN Renée Watson, RN Michelle Anderson, DNP, RN Christine Main, LPN Cindy Hone, Public Member	Division Staff:	Nicki Chopski, Executive Officer, Pharm D Mark Kubinski, General Counsel Stephanie Lotridge, Licensing Program Manager Berk Fraser, Chief Investigator Brandy Fitchett, Practice and Education Specialist Madyson Crea, Board Support Specialist Susan Villanueva Board Support Specialist
Board Members Absent:	Laura Pisca, RN	Others Present:	Joan Callahan, Board Prosecutor

The meeting was called to order at 8:30 AM by Dr. Deena Rauch, DNP, RN.

Approval of Minutes

A motion was made and seconded to approve the 10/12/2023 minutes. The motion carried.

DIVISION BUSINESS

Legislative Update: Board staff reviewed the current progress of the 2024 legislative session. The Division plans to propose five bills that apply to the Health Professions Bureau, and four apply directly to the Board of Nursing. Dr. Chopski updated the Board on the proposed bill to consolidate the Board of Nursing and Board of Midwifery. The Division has continued to engage with nursing and midwifery stakeholders, all of whom plan to support the legislation. The Division is committed to ensuring that the regulation of these two professions under one Board is suitable for both professions. The Board discussed the proposed changes to the Board composition, and Dr. Chopski addressed questions. Dr. Rauch took a moment to acknowledge the time and effort staff has committed to engaging with stakeholders. Dr. Chopski explained that the proposed edits to the Uniform Controlled Substance Act would place six illicit substances in Schedule I. Board staff briefly reviewed the proposed fingerprinting and licensure renewal bills.

Financial Update and Five-Year Projections: The Board reviewed the five-year financial projections report, and staff addressed questions. Dr. Chopski informed the Board that they have a large cash balance, and the Division is preparing a report for the legislature to address this. The Division plans to recommend to the Governor that Boards with a cash balance exceeding 125% contribute funds from fines to the State's Adult Launch program, which provides scholarships for higher education and trade schools. Dr. Anderson asked if the decrease in revenue from Washington joining the nurse licensure compact had been calculated. Dr. Chopski stated that the anticipated loss would be approximately \$200,000. Ms. Mahannah suggested contributing excess funds to a scholarship to assist participants with

the substantial cost of enrolling in the Health Professionals Recovery Program. The Board discussion will continue at a future meeting.

BOARD BUSINESS

Board of Nursing Policy Review: Dr. Rauch asked staff to review the recommended changes to board policies for Licensure and draft Education policies. The Board discussed and determined the following:

Licensure: After reviewing the recommended changes, a motion was made and seconded to approve the policy revisions as presented. The motion carried. This included striking the following policies as they are internal processes or superseded by Division procedures:

BON-Licensure-2 Authorization to Test Validity, BON-Licensure-3 Guidelines for Special Accommodations on the NCLEX, BON-Licensure-4 Board Review of NCLEX Items, BON-Licensure-5 Employment Reference, BON-Licensure-7 Social Security Number Required for Licensure & Certification, BON-Licensure-8 Refund of License Fees, BON-Licensure-12 Use of Criminal History to Inform Licensure Decisions, and BON-Licensure-14 Participants in Alternative Programs Administered in Other Jurisdictions.

Education Faculty Qualifications: The Board reviewed feedback received from CNET on the draft policy. The Board discussed that policy was unnecessary if the accreditation standards covered the requirements previously outlined in rule. Staff was directed to continue collaborating with stakeholders and revise the draft policy for review at the next meeting.

Education Curricula and Ratios: The Board reviewed and discussed previously struck rules for education curricula and ratios compared to accrediting agency requirements. The Board directed staff to continue to work with stakeholders but noted a policy would not be needed if requirements were adequately covered by accrediting standards. A motion was made and seconded to continue without a board policy at this time and defer to accreditation standards. The motion carried.

Nurse Intern Pilot:

The Board reviewed and recommended minor changes to the draft language for the Nurse Intern Pilot application, agreement, and attachments. A motion was made and seconded to approve and move forward with implementing the Nurse Intern Pilot with discussed amendments to the draft documents. The motion carried.

Case Review – BON-2022-0800035: Following a review of the request and the terms of the Stipulation and Order, a motion was made and seconded to terminate the Stipulation and Consent Order for BON-2022-0800035. The motion carried.

License Liability Statement: Ms. Lotridge presented the new liability statement, which will be standard across DOPL, and will help limit legal liability. The Board had no concerns.

Continuing Education (CE) Options for Discipline: Dr. Chopski reviewed the compiled available CE course list. The Board was pleased with the opportunity to improve this process and decrease administrative burden. A motion was made and seconded to move forward with the options presented and continue to add CE options as additional resources are identified. The motion carried.

Conference Attendance Request and Reports: The Board reviewed submitted travel reports and discussed attendance at upcoming conferences. A motion was made and seconded to approve upcoming board travel as presented. The motion carried.

Public Comment: Mr. Dekastle thanked the Board for their work establishing a nurse intern pilot. He requested the Board to consider a fee holiday or ways to assist rural areas and nursing programs with excess funds.

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 and Idaho Code § 74-206(1)(d) to consider records related to a licensee's ability to obtain or retain a license, which is exempt from public disclosure. The vote was: Ms. Permann, aye; Ms. Hone, aye; Ms. Main, aye; Ms. Mahannah, aye; Ms. Watson, aye; Ms. Hines-Josephson, aye; Dr. Anderson, aye; Dr. Rauch, aye. The motion carried.

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

Applications: A motion was made and seconded to authorize general counsel to draft a response to the three impact of criminal conviction inquiries. The motion carried.

A motion was made and seconded to deny application number 164004 on the grounds discussed in executive session. The motion carried.

Discipline:

A motion was made and seconded to close case number 2023050030. The motion carried.

A motion was made and seconded to enter into an agreement in lieu of discipline for case numbers 2023080035, 2023030015, and 2023090041. The motion carried.

A motion was made and seconded to enter a Stipulation and Order for case numbers 2023060055, 2023070024, 2023100003, and 2023100057. The motion carried.

A motion was made and seconded to authorize the Board Prosecutor to file an administrative complaint should any of the negotiations expire or be rejected. The motion carried.

Adjourn

There being no further business, the meeting was adjourned at 2:55 PM.

The next meeting is on 04/11/2024