

# **New Jersey Board of Nursing**

## **Regular Open Board Meeting Minutes**

**March 18, 2003**

A meeting of the New Jersey State Board of Nursing was held on March 18, 2003 in the Hudson Conference Room, 6th Floor, 124 Halsey Street, Newark, New Jersey. Maris Lown, Board President, called the meeting to order at 9:30 a.m.

### **ROLL CALL**

### **PRESENT**

**Board Members:** Noreen D'Angelo, Leo-Felix Jurado, Virginia McKenney, Sylvia C. Edge, Maris Lown, Dr. Muriel M. Shore, Nelson Tuazon, Cecilia West and Margaret M. Kirchhoff.

### **ALSO PRESENT**

George J. Hebert, Acting Executive Director, New Jersey Board of Nursing, Barbara Byers, Administrative Analyst, Charles Manning, Regulatory Analyst, Division of Consumer Affairs (for discussion of regulations), Deputy Attorney(s) General: Darlene Lapola and Victoria Manning.

### **NOT PRESENT**

**Board Member(s):** Karen Rodriguez, Veronica McGreevey and Ronald H. Carr.

### **A QUORUM WAS DECLARED PRESENT**

In accordance with Chapter 231 of P.L. 1975, more commonly referred to as the Sunshine Law, adequate notice of this meeting was provided by mailing on January 2, 2003. A schedule of all 2003 Regular Open Board Meeting to be held during 2003 was provided to the Office of the Secretary of State, Star Ledger, Trenton Times, The New York Times, Camden Courier Post and The Philadelphia Inquirer. The schedule has also been posted on the Bulletin Board at the New Jersey State Board of Nursing Office.

Approval of the Addendum to the March 18, 2003 Regular Open Board Meeting Agenda.

THE BOARD, UPON A MOTION MADE BY DR. MURIEL M. SHORE AND DULY SECONDED, VOTED TO APPROVE THE ADDENDUM TO THE MARCH 18, 2003 REGULAR OPEN BOARD MEETING AGENDA. THE MOTION CARRIED.

A reading and approval of the minutes for the Regular Open Business Meeting of February 18, 2003.

THE BOARD, UPON A MOTION MADE BY CECILIA WEST AND DULY SECONDED, VOTED TO TABLE THE MINUTES OF THE REGULAR BOARD MEETING OF FEBRUARY 18, 2003 UNTIL THE NEXT REGULAR BOARD MEETING. THE MOTION CARRIED.

## **MARIS A. LOWN - REPORT OF THE PRESIDENT:**

### **M. Lown reported.**

- The Nursing Convention will be having a celebration honoring the 100th Anniversary of the Registration Law in New Jersey. The honorees will be Past Board Presidents, Board Members along with Dean and Directors. Governor McGreevey was invited but was not available to speak.
- The Search Committee met to discuss the process of interviewing candidates for the position of Executive Director for the New Jersey Board of Nursing. There will be advertisements in the following newspapers:
  - 1.) The New York Times
  - 2.) The Star Ledger
  - 3.) The Bergen Record

THE BOARD, UPON A MOTION MADE BY CECILIA WEST AND DULY SECONDED VOTED TO INTERVIEW THE TOP CANDIDATES (NO MORE THAN THREE) AS ADVISED BY THE SEARCH COMMITTEE FOR THE EXECUTIVE DIRECTOR POSITION. THE MOTION CARRIED.

- M. Lown thanked the Board of Nursing staff for their commitment and energy while operating at a disadvantage in terms of shortage of staff members.

## **GEORGE HEBERT - REPORT OF THE ACTING EXECUTIVE DIRECTOR**

### **G. Hebert reported.**

- **Staffing Updates:**

- a. Completing final touches for the new answering system
- b. Redesigned the Endorsement section
- c. Renewal section: anticipating new hirees

- **Regulations:**

- a. C. Manning to review licensure regulation changes. Tangentially related to the change that will be discussed are two recurring licensing questions that would be important for the Board to discuss and determine what the Board would like to do with them. They include:

1. The recurring questions of individuals who have been prepared in RN programs who may or may not have completed the RN program, took the LPN exam in another state i.e., New York and are requesting to be endorsed in New Jersey.

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECOND, VOTED TO REFER THE LPN LICENSURE INQUIRY FOR OUT OF STATE LICENSED LPNS WHO ARE NOT PREPARED WITH THE LPN CURRICULUM TO THE PRACTICE COMMITTEE FOR REVIEW. THE MOTION CARRIED.

2. A new question that is being posed is concerning Canadian nurses. The Board has received a letter of inquiry from one of the local legislators asking why New Jersey is not able to endorse candidates from Canada. Pennsylvania does. Other states will permit Canadian nurses to work for a year with the requirement that they take and pass NCLEX before the year is up, i.e., Connecticut.

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED, VOTED THAT THE ACTING EXECUTIVE DIRECTOR WILL RESPOND TO THE INQUIRY TO EXPLAIN THAT THE REGULATIONS DO NOT ALLOW THE ENDORSEMENT OF CANADIAN NURSES FOR NEW JERSEY LICENSURE AT THIS TIME. THE MOTION CARRIED.

3. The Board continues to receive calls from Puerto Rican nurses asking if they can be endorsed since Florida licenses them by endorsement.

4. The eastern European nurses advocates continue to ask if New Jersey will do away with the CGFNS predictor exam and the Board will permit other Evaluating Agencies to review transcripts and credentials.

THE BOARD, UPON A MOTION MADE BY NELSON TUAZON AND DULY SECONDED, VOTED TO RESPOND TO THE PUERTO RICAN AND EASTERN EUROPEAN NURSE CONSTITUENCY INQUIRY TO STATE THAT NEW JERSEY REQUIRES NCLEX FOR LICENSURE. THE MOTION CARRIED.

- **License Renewal:**

- a. Renewal forms will be going out this week

- **Board of Nursing Workshop:**

- a. Dr. Linda Mather has been in contact with Mrs. Byers and the Acting Executive Director to review the information regarding LPNs that is to be discussed at the meeting.

- April 4th Annual Nursing Convention in Atlantic City. Invitations are being sent out today with the necessary details.
- The Governor's Advisory Council held their second open hearing on Wednesday, March 12, 2003 at the Center for Health Affairs. There was a large number of individuals who came to provide testimony. The third and final meeting will take place on Wednesday, March 26, 2003 at Bergen Community College.
- NCLEX Results: Program reports were formulated this year by developing a report using the Chauncey Group and the NCS Person/VUE quarterly reports. This was done on an excel spreadsheet. The program calculated total takers, total pass and % pass for first time takers for each program. They were sent out to the program. The BON is in the midst of receiving inquiries from programs at the present time. In the future, staff have the capability of printing out individual reports for each program. NCS Pearson/VUE need a full year's worth of data to be able to do that. A report was prepared for the Education Committee. Their observations will be shared with BON members during their report. An issue of concern was whether or not this data could be made available on the BON website since it is data that organizations have begun to request formally through OPRA.
- G. Hebert seeks approval for: G. Hebert to attend the National Council of State Boards of Nursing, Executive Director Workshop on Tuesday, April 29, 2003 in Chicago, IL.

THE BOARD, UPON A MOTION MADE BY NELSON TUAZON AND DULY SECONDED, VOTED TO APPROVE THE APPEARANCE OF THE ACTING EXECUTIVE DIRECTOR FOR THE CHICAGO PRESENTATION. THE MOTION CARRIED.

THE BOARD, UPON A MOTION MADE BY NELSON TUAZON AND DULY SECONDED, VOTED TO ACCEPT THE REPORT OF THE ACTING EXECUTIVE DIRECTOR. THE MOTION CARRIED.

## **APPEARANCES:**

1. Geri Dickson, RN, PhD, Project Director, Colleagues in Caring, Rutgers College of Nursing, Newark New Jersey. G. Dickson share with the Board Preliminary Findings of comprehensive data about actively licensed nurses in the State of New Jersey. The data was collected by Colleagues in Caring in Collaboration with the New Jersey Board of Nursing.
2. Margaret Knight, RN, M.Ed, Executive Director, The Cancer Treatment Program of the New Jersey Department of Health and Senior Services, Trenton, New Jersey. M. Knight gave a detailed and informative presentation regarding a Cancer Control Plan that can be beneficial to New Jersey residents.

## **COMMITTEE REPORTS:**

### **1. BUDGET & FINANCE:**

M. Shore reported. The Budget & Finance Committee will be meeting with Darlene Kane, Budget Analyst, Division of Consumer Affairs to discuss the Board's financial resources and will report back to the Board at a future meeting.

THE BOARD, UPON A MOTION MADE BY DR. MURIEL M. SHORE AND DULY SECONDED, VOTED TO ACCEPT THE BUDGET & FINANCE COMMITTEE REPORT. THE MOTION CARRIED.

### **2. EDUCATION COMMITTEE:**

L. Jurado reported. The Education Committee met on March 11, 2003 to discuss the following issues:

#### **\* School of Nursing Accreditation: Deeming Model**

The Committee reviewed the Deeming Model that will be used with the passage of the new education regulations. The model is based on the eight-year cycle. A schedule will be developed assigning nursing programs to one of the eight years. The Board will mail out notifications to nursing programs between May and August informing them that they are scheduled for review during the following academic year. Reviews will be staggered over the fall and spring semesters and review results will be shared during the spring and summer months.

Each program will have the option to have either a review of their self-study materials along with the certifying agency reports or they may choose to be site visited.

#### **\* Nursing Education Regulations: Program for Nurse Educators for April 24, 2003**

The Education Committee of the Board will be conducting a morning workshop on April 24, 2003 at the Eatontown Sheraton Hotel for deans and directors of nursing programs. The workshop will focus on discussing the new education regulations, the Modified Deeming Model for program evaluation and additional work that is being done on refining the new regulations. A workshop notification letter has been prepared by the staff and has been sent out this past week.

#### **\* Nursing Education Committee: Flow Sheet**

The Committee agreed that it would be important to develop a flow sheet to document accomplishments and items that are still pending completion. The flow sheet will be developed for the May meeting of the Committee.

**\* NCLEX 2002 Results: Removal of Nursing Program from Conditional Accreditation**

The Committee reported the results based on information gleaned from the quarterly reports of The Chauncey and NCS Pearson/VUE companies resulting in the following Board action.

Fairleigh Dickinson University, College of Nursing, Teaneck, New Jersey

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED, VOTED TO REMOVE FAIRLEIGH DICKINSON UNIVERSITY, COLLEGE OF NURSING, TEANECK, NEW JERSEY FROM CONDITIONAL ACCREDITATION FOR HAVING 80% OR MORE OF THEIR GRADUATES ACHIEVE PASSING GRADES IN THE LICENSING EXAMINATION (N.J.A.C. 13:37-1.4(a)2). THE MOTION CARRIED. \*\*NELSON TUAZON WAS NOT PRESENT FOR THE VOTE.

Felician College, Department of Nursing, Lodi, NJ

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED, VOTED TO REMOVE FELICIAN COLLEGE, DEPARTMENT OF NURSING, LODI, NJ FROM CONDITIONAL ACCREDITATION FOR HAVING 80% OR MORE OF THEIR GRADUATES ACHIEVE PASSING GRADES IN THE LICENSING EXAMINATION (N.J.A.C. 13:37-1.4(a)2). THE MOTION CARRIED. \*\*DR. MURIEL M. SHORE AND NELSON TUAZON RECUSED THEMSELVES.

Union County College, Practical Nurse Program, Cranford, NJ

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED, VOTED TO REMOVE UNION COUNTY COLLEGE, PRACTICAL NURSE PROGRAM, CRANFORD, NJ FROM CONDITIONAL ACCREDITATION FOR HAVING 80% OR MORE OF THEIR GRADUATES ACHIEVE PASSING GRADES IN THE LICENSING EXAMINATION (N.J.A.C. 13:37-1.4(a)2). THE MOTION CARRIED.

UMDNJ, College of Nursing, Ramapo, NJ

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED, VOTED TO REMOVE UMDNJ, COLLEGE OF NURSING, RAMAPO, NJ FROM CONDITIONAL ACCREDITATION FOR HAVING 80% OR MORE OF THEIR GRADUATES ACHIEVE PASSING GRADES IN THE LICENSING EXAMINATION (N.J.A.C. 13:37-1.4(a)2). THE MOTION CARRIED 8-0. \*\* CECILIA WEST RECUSED HERSELF.

**\* NCLEX 2002 Results: Placement of Nursing Programs on Conditional Accreditation**

The College of New Jersey, Ewing, NJ

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED, VOTED TO PLACE THE COLLEGE OF NEW JERSEY, EWING, NJ ON CONDITIONAL ACCREDITATION FOR HAVING LESS THAN 80% OF THEIR GRADUATES ACHIEVE PASSING GRADES IN THE LICENSING EXAMINATION (N.J.A.C. 13:37-1.4(a)2). THE MOTION CARRIED.

Seton Hall University, South Orange, NJ

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED, VOTED TO

PLACE SETON HALL UNIVERSITY, SOUTH ORANGE, NJ ON CONDITIONAL ACCREDITATION FOR HAVING LESS THAN 80% OF THEIR GRADUATES ACHIEVE PASSING GRADES IN THE LICENSING EXAMINATION (N.J.A.C. 13:37-1.4(a)2). THE MOTION CARRIED.

Mercer County Community College, Trenton, NJ

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED, VOTED TO PLACE MERCER COUNTY COMMUNITY COLLEGE, TRENTON, NJ ON CONDITIONAL ACCREDITATION FOR HAVING LESS THAN 80% OF THEIR GRADUATES ACHIEVE PASSING GRADES IN THE LICENSING EXAMINATION (N.J.A.C. 13:37-1.4(a)2). THE MOTION CARRIED.

Bayonne Hospital School of Nursing, Bayonne, NJ

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED, VOTED TO PLACE BAYONNE HOSPITAL SCHOOL OF NURSING, BAYONNE, NJ ON CONDITIONAL ACCREDITATION FOR HAVING LESS THAN 80% OF THEIR GRADUATES ACHIEVE PASSING GRADES IN THE LICENSING EXAMINATION (N.J.A.C. 13:37-1.4(a)2). THE MOTION CARRIED.

Capital Health System School of Nursing, Trenton, NJ

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED, VOTED TO PLACE CAPITAL HEALTH SYSTEM SCHOOL OF NURSING, TRENTON, NJ ON CONDITIONAL ACCREDITATION FOR HAVING LESS THAN 80% OF THEIR GRADUATES ACHIEVE PASSING GRADES IN THE LICENSING EXAMINATION (N.J.A.C. 13:37-1.4(a)2). THE MOTION CARRIED.

St. Francis Medical Center School of Nursing, Trenton, NJ

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED, VOTED TO PLACE ST. FRANCIS MEDICAL CENTER SCHOOL OF NURSING, TRENTON, NJ ON CONDITIONAL ACCREDITATION FOR HAVING LESS THAN 80% OF THEIR GRADUATES ACHIEVE PASSING GRADES IN THE LICENSING EXAMINATION (N.J.A.C. 13:37-1.4(a)2). THE MOTION CARRIED.

Charles E. Gregory School of Nursing, Perth Amboy, NJ

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED, VOTED TO PLACE CHARLES E. GREGORY SCHOOL OF NURSING, PERTH AMBOY, NJ ON CONDITIONAL ACCREDITATION FOR HAVING LESS THAN 80% OF THEIR GRADUATES ACHIEVE PASSING GRADES IN THE LICENSING EXAMINATION (N.J.A.C. 13:37-1.4(a)2). THE MOTION CARRIED.

Salem Community College, Practical Nurse Program, Penns Grove, NJ

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED, VOTED TO PLACE SALEM COMMUNITY COLLEGE, PRACTICAL NURSE PROGRAM, PENNS GROVE, NJ ON CONDITIONAL ACCREDITATION FOR HAVING LESS THAN 80% OF THEIR GRADUATES ACHIEVE PASSING GRADES IN THE LICENSING EXAMINATION (N.J.A.C. 13:37-1.4(a)2). THE MOTION CARRIED.

**Correspondence:**

Mr. James Rogers, Superintendent of the Morris County School of Technology notified the Board that Ms. Janice Kilgallon was appointed by the Board of Education to the role of Supervisor of Instruction/LPN for the program on December 17, 2002.

THE BOARD, UPON A MOTION MADE BY SYLVIA C. EDGE AND DULY SECONDED, VOTED TO ACCEPT THE NURSING EDUCATION COMMITTEE REPORT. THE MOTION CARRIED.

### **3. LEGISLATIVE REVIEW PANEL:**

M. Shore reported. The committee is currently looking at its purpose and will be exploring it to a greater extent. There were a number of questions that were raised as to what is the impact of the recommendations that are made by the committee.

The committee did, however, review one bill - **Assembly Bill 3383**. Sponsor(s): Blee, Francis J./Previte, Mary T. Introduced February 27, 2003. This bill provides that information about residence of persons licensed by certain professional boards shall not be disclosed to the public. **Position - Support.**

THE BOARD, UPON A MOTION MADE BY DR. MURIEL M. SHORE AND DULY SECONDED, VOTED TO SUPPORT ASSEMBLY BILL 3383. THE MOTION CARRIED.

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED, VOTED TO ACCEPT THE LEGISLATIVE REVIEW PANEL REPORT. THE MOTION CARRIED.

### **4. NURSING PRACTICE COMMITTEE:**

No report.

### **5. REGULATORY COMMITTEE:**

M. Shore reported. The committee met on March 11, 2003 to discuss the following issues:

\* **Committee Regulations Flow Sheet 2003**

\* **Delegation of Medication Administration**

**This issue was tabled until the next regular board meeting.**

\* **N.J.A.C., Subchapter 7, Certification of Advanced Practice Nurses**

On February 11, 2003, the committee discussed proposed revisions in Subchapter 7 with Andrea Aughenbaugh, RN, MS, APN, C, Chief Executive Officer, New Jersey State Nurses Association. The committee will continue to review N.J.A.C. 13:37-7.11, clinical specialty categories for advanced practice certification and other APN prescriptive authority issues on April 8, 2003.

\* **N.J.A.C. 13:37-2.3, Application requirements; graduates of foreign nursing programs** - The Committee discussed proposed revisions in N.J.A.C. 13:37-2.3. This issue was discussed under the new business portion of the Board's meeting.

\* **N.J.A.C. 13:37, Subchapter 1, Programs in Nursing Education** - This issue was discussed under the new business portion of the Board's meeting.

\* **N.J.A.C. 13:37-5.7, Notification of Change of Address**

George Hebert and Barbara Byers will draft a proposal for committee review.

THE BOARD, UPON A MOTION MADE BY CECILIA WEST AND DULY SECONDED, VOTED TO APPROVE THE REGULATORY COMMITTEE REPORT. THE MOTION CARRIED.

## **OPEN FORUM:**

M. Lown asked the public to share with the Board of Nursing any concerns, issues, or questions.

## **OLD BUSINESS:**

**C. Manning discussed with the Board the following issues:**

**\* Massage, Bodywork and Somatic Therapy Rules and Regulations (revisions in the fee schedule)**

THE BOARD, UPON A MOTION MADE BY SYLVIA C. EDGE AND DULY SECONDED, VOTED TO APPROVE THE REVISIONS FOR THE MASSAGE, BODYWORK AND SOMATIC THERAPY FEE SCHEDULE. THE MOTION CARRIED.

**\* Conditional Accreditation (revisions)**

THE BOARD, UPON A MOTION MADE BY DR. MURIEL M. SHORE AND DULY SECONDED, VOTED TO APPROVE THE REVISIONS FOR THE CONDITIONAL ACCREDITATION RULE, N.J.A.C. 13:37-1.17. THE MOTION CARRIED.

**\* Nursing Education Rules**

THE BOARD, UPON A MOTION MADE BY DR. MURIEL M. SHORE AND DULY SECONDED, VOTED TO APPROVE THE REVISIONS TO THE EDUCATION RULES, N.J.A.C. 13:37-1.12. THE MOTION CARRIED.

**\* C. Manning discussed with the Board - Application requirements for graduates of Foreign Nursing Programs.**

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED, VOTED TO APPROVE THE PROPOSED REVISIONS IN N.J.A.C. 13:37- 2.3, APPLICATION REQUIREMENTS FOR GRADUATES OF FOREIGN NURSING PROGRAMS FOR OTHER APPROVALS AND TO PUBLISH THE PROPOSAL IN THE NEW JERSEY REGISTER FOR PUBLIC COMMENT. THE MOTION CARRIED.

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED, VOTED THAT THE REGULATORY COMMITTEE WILL REVIEW OTHER AGENCIES THAT WILL PERFORM TRANSCRIPT REVIEWS FOR FOREIGN NURSING GRADUATES. THE MOTION CARRIED.

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED, VOTED TO TABLE THE DISCUSSION REGARDING THE PROPOSED DELEGATION RULES. THE MOTION CARRIED.

## **ADDITION TO AGENDA**

**\* Home Health Aide Applicant - Shirley Howard**

THE BOARD, UPON A MOTION MADE BY LEO-FELIX JURADO AND DULY SECONDED, VOTED TO ISSUE A LETTER OF ELIGIBILITY TO HOME HEALTH APPLICANT SHIRLEY HOWARD IN THAT EVIDENCE OF REHABILITATION IS CLEAR AND CONVINCING. THE MOTION CARRIED.



THE BOARD, UPON A MOTION MADE BY SYLVIA C. EDGE AND DULY SECONDED, VOTED TO GO INTO EXECUTIVE SESSION TO DISCUSS A DISCIPLINARY MATTER AND 11/19/02 EXECUTIVE SESSION MINUTES. THE MOTION CARRIED.

THE BOARD, UPON A MOTION MADE BY NELSON TUAZON AND DULY SECONDED, VOTED TO GO INTO OPEN SESSION. THE MOTION CARRIED UNANIMOUSLY. [This motion is also noted in the 3/18/03 Executive Session minutes.]

**\* Certified Homemaker Home Health Aide Applicant - Tina Frimpong**

THE BOARD, UPON A MOTION MADE BY NELSON TUAZON AND DULY SECONDED, VOTED TO GRANT CERTIFICATION TO CERTIFIED HOMEMAKER HOME HEALTH AIDE APPLICANT - TINA FRIMPONG. THE MOTION CARRIED.

**ADJOURNMENT:**

On March 18, 2003 the Regular Open Business Board Meeting was adjourned at 1:30 p.m. The next Regular Open Business Meeting will be on May 20, 2003

THE BOARD, UPON A MOTION MADE BY MARGARET M. KIRCHHOFF AND DULY SECONDED, VOTED TO ADJOURN THE MEETING. THE MOTION CARRIED.

There is a posting of the minutes on the Board of Nursing website:

[www.state.nj.us/lps/ca/medical.htm#nur6](http://www.state.nj.us/lps/ca/medical.htm#nur6)

Respectfully submitted,

---

Dr. Muriel M. Shore  
Secretary/Treasurer

---