

**NEW JERSEY STATE BOARD OF NURSING
MINUTES
OPEN BUSINESS MEETING
APRIL 15, 2008**

A meeting of the New Jersey State Board of Nursing was held on April 15, 2008 in the Somerset Conference Room, 6th Floor, 124 Halsey Street, Newark, New Jersey. Leo-Felix Jurado, Board President, called the meeting to order at 9:00 a.m.

ROLL CALL

BOARD MEMBERS PRESENT:

Irma Bojazi Leo-Felix Jurado
Marietta Cahill Patricia Ann Murphy
Noreen D'Angelo Karen Rodriguez
Constance Wilson

ALSO PRESENT:

George J. Hebert, Executive Director
Carol Hanse, Education Program Development Specialist II
Margaret Howard, Field Representative
Darlene Lapola, Deputy Attorney General

BOARD MEMBER(S) EXCUSED ABSENCE:

Avery Hart

BOARD MEMBER ABSENCE:

Shivani Nath

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 November 26, 2007. A schedule of all 2008 Regular Open Board Meetings to be held during 2008 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.

AGENDA:

Open Regular Board Meeting Agenda of April 15, 2008: Reading and Approval:

After discussion the Board, upon a motion made by Noreen D'Angelo and duly seconded by Karen Rodriguez, voted to approve the Regular Open Board Meeting Agenda of April 15, 2008 as amended. The motion carried.

MINUTES:

Open Business Meeting Minutes of March 18, 2008: Table:

After discussion the Board, upon a motion made by Noreen D'Angelo and duly seconded by Karen Rodriguez, voted to table the Regular Open Board Meeting Minutes of March 18, 2008. The motion carried.

REPORT OF THE BOARD PRESIDENT – LEO-FELIX JURADO:

Leo-Felix Jurado reported:

Attended the NJSNA Nursing Convention – President Jurado provided updates regarding the Board of Nursing. The report focused on statistics: how many licensees/certificants there are in the State, nursing programs approval, 2007 NCLEX pass rate, etc.

Participated in a teleconference regarding a grant that is being provided by the U.S. Department of Labor, Employment and Training Administration, the Robert Wood Johnson Foundation, the Center to Champion Nursing in America and the U.S. Department of Health and Human Services, Health Resources and Services Administration. The grant is to expand nursing education capacity in the nation that would focus on physical space, faculty, clinical resources or funds to enroll and educate the numbers of students needed to meet future nursing demands.

The American Board of Comprehensive Care has created a new certification exam. The exam will distinguish DNP graduates who have achieved a high level of competence in comprehensive care. The exam will be offered in September 2008. Advanced practice nurses with national certification in an advanced practice nursing specialty and a Doctor of Nursing Practice Degree are eligible to sit for certification. The exam is derived from the test pool of the USMLE Step 3 exam for MD licensure candidates. Successful DNP candidates will be designated as Diplomates in Comprehensive Care by the American Board of Comprehensive Care.

An article from amednews.com on “Advanced-practice nurses seek wider scope in 24 states”. Physician leaders fear that expanding the range of services nurses can provide may threaten patient safety. The new law raises supervision concerns from physicians. By 2015 at least 200 nursing programs will offer doctorate of nursing programs.

An article in the Business Journal on a study: “Nurse staffing ratio hasn’t improved patient care”; The first study of the effect of nurse-to-patient ratios on care in California hospitals concludes hospitals have hired more registered nurses, but they had little effect on two areas of care- patient falls and bed sores.

There was no statistically significant change in either area between 2002, two years before California’s strict nurse-to-patient ratio law took effect and 2006, according to a study by the California Nursing Outcomes Coalition.

The findings – strongly disputed by the state’s largest nurse union – were published in the March issue of Policy, Politics & Nursing Practice, a peer – reviewed journal that explores the relationship between nursing and health policy. The Association of California Nurse Leaders and the American Nurses Association/California, the two groups that established the research coalition paid for the study.

REPORT OF THE EXECUTIVE DIRECTOR – GEORGE J. HEBERT:

George J. Hebert reported:

Upcoming meetings: May 12 & 13, 2008 – George J. Hebert and Michelle Carroll to attend the 2008 Annual Meeting of the Home Care Association of New Jersey. The Board of Nursing is being asked to provide information on delegation. The Home Care Association is also asking Marilyn Nelson, Regulated Business along with George J. Hebert to discuss application processes for establishment of new agencies that provide home health care services.

The following amendments were posted in the New Jersey Register on Monday, March 17, 2008: Pediatric Sexual Assault Forensic Examination; FN-CSA Education Programs – Adopted Amendments: N.J.A.C. 13:37-5.5, 9.2 and 9.5, and Continued Education Proposed Amendment: N.J.A.C. 13:37-5.3, comment period is open until June 5, 2008.

NCSBN is seeking assistance from member Boards of Nursing from states that has developed Pain Management guidelines. NCSBN is interested in knowing how each state is addressing this issue.

Seeking approvals: June 26-27, 2008 George J. Hebert and Leo-Felix Jurado to attend the National Education Capacity Summit, sponsored by The US Department of Labor, Employment and Training Administration, which will be held in Washington, D.C.

After discussion, the Board upon a motion made by Constance Wilson and duly seconded by Noreen D'Angelo, voted to approve the appearances of the Board President and Staff. The motion carried.

CORRESPONDENCE:

1. March 6, 2008, thank you letter from Andrea W. Aughenbaugh, RN, CS, CAE, Chief Executive Officer, NJSNA to President Jurado for agreeing to give an update on the Board of Nursing at the 2008 New Jersey Nursing Convention. 2. March 10, 2008, memo from Karen J. Wells, Supervisor, Administrative Rules Unit, Department of Corrections regarding Proposed Amendment at N.J.A.C. 10A:9-4.6, Criteria for consideration for gang minimum custody status and full minimum custody status. 3. March 12, 2008, letter from Judith Mathews, RN, PhD, Dean, Muhlenberg Regional Medical Center, Harold B. and Dorothy A. Snyder Schools regarding plans to close Muhlenberg Regional Medical Center as an acute care facility. 4. March 17, 2008, New Jersey Register, Adopted Amendments: N.J.A.C. 13:37-5.5, 9.2 and 9.5, Adopted Repeal: N.J.A.C. 13:37-9.4 Fee Schedule; Definitions; Pediatric Sexual Assault Forensic Examination; FN-CSA Education Programs. 5. April 7, 2008, New Jersey Register, Proposed Amendment N.J.A.C. 13:37-5.3 Continuing Education. 6. April 9, 2008, "The Wall Street Journal" – Article; "Making Room for Dr. Nurse". The nursing profession is offering a possible solution to the shortage of primary care physicians

NEW BUSINESS:

COMMITTEE REPORTS:

1. EDUCATION COMMITTEE: -

Constance Wilson reported: Session I of the March 25, 2008 Meeting Report:

Session I Correspondence:

February 25, 2008 – Memo from Donna J. Stankiewicz, MSN, RN., Assistant Dean, Passaic County Community College

Re: Informing the Board of the purchase of an additional 45,000-sq. ft. campus building at 2 Paulison Avenue in Passaic.

February 26, 2008 – Letter from Rose Saunders, EdD, RN, CNE, Dean of Helene Fuld School of Nursing.

Re: Letter notifying the acceptance of the proposed curriculum changes with NLNAC (National League for Nursing Accrediting Commission). The New Jersey Board of Nursing had approved this curriculum change November 2007.

February 22, 2008 – Letter from New Jersey Commission on Higher Education.

Re: FYI: Notification of its regular monthly meeting to be held on February 22, 2008.

February 11, 2008 – Letter from Becky Graner, MS, RN, Interim Executive Administrator, NDNA, CNE-Net (Continuing Nursing Education Network)

Re: FYI: LPN Refresher Course. The course is 260 hours consisting of 100 hours of didactic and 160 clinical hours. The Web site is www.ndna.org

February 12, 2008 – NCSBN Education Network Call

FYI: Minutes from the Network Call. L. Jurado, who was on the Network Call will follow-up with NCSBN

regarding the minutes.

March 4, 2008 - NLN Faculty Development Bulletin
www.org/facultydevelopment/Bulletin/vol6no5.htm

LPN Refresher Course from Patricia L. Truitt, RN
Re: LPN Refresher course - The course was reviewed

Lincoln Technical Institute Clinical Agreement.
The Committee reviewed addenda to the clinical agreements for compliance with regulations.

NCLEX results Gloucester County College

The Committee reviewed the NCLEX results of Gloucester County College (GCC) and the communication from NCSBN. According to NCSBN a graduate from a program in Pennsylvania took NCLEX-RN via Delaware.

This graduate utilized the wrong program code (GCC's code rather than the program code from the school she graduated from) and was therefore added to GCC's list of graduates. Removal of this failing applicant from GCC's scores brings about the following change in GCC's 2007 NCLEX results. GCC is also in contact with Delaware regarding another student concern.

National Council School Board of Nursing NCLEX-RN (Reported)
Program Code School Total Candidates Pass Failed %Passed
18-447 Gloucester County College - ADN 69 66 3 95.65

NCLEX-RN (New Scores)
Program Code School Total Candidates Pass Failed %Passed
18-447 Gloucester County College - ADN 68 66 2 97.05

Belford University-BSN

Re: This online degree program does not indicate approval from a Board of Nursing. An applicant seeking licensure by examination submitted a diploma from the above program and reported the program was online without a "hands on" clinical component. This program has a Texas connection, and is not approved by that Board.

March 17, 2008 – Letter from Virginia Clevenger, RN, MA, Principal, Mercer County Technical Schools Health Careers Center

Re: Sharon Nemeth, BSN, MA will be replacing Ms. Clevenger who is retiring effective July 1, 2008.

CGFNS

Representatives from Career Improvement Consulting, Inc met with the Executive Director and Education Program Development Specialist II to discuss concerns regarding Russian \ Slavic education rejections by CGFNS. Additional documentation was requested.

LPN graduate from the Philippines

The Licensure by Exam Department received an application and a CGFNS report from an applicant who graduated from Rutgers the State University of New Jersey with a Bachelor of Science degree with a major in Biological Sciences and then went to the Philippines and attended a practical nursing program. The title of practical nurse, however "is not a sanctioned title in the Philippines...No license is given to LPN's in the Philippines." The applicant completed Medical, Surgical, Maternal/Infant, Care of Children, and Psychiatric/Mental Health Courses at the Philippine Paramedical and Technical School. The Technical Education Skill Development Authority (TESDA) approved the practical/vocational nurse program.

Discussion ensued: Licensure in another country was discussed. Present regulation requests information regarding “experiential background.” Not all countries license nurses. The Statutes and Regulations were also reviewed. The Committee decided to refer the above to the full Board for a decision.

After discussion the Board upon a motion made by Noreen D’Angelo and duly seconded by Irma Bojazi, voted to table this matter for further review by the DAG. The motion carried.

Discussion

Action Plan: Deferred to the next available meeting.

Moratorium: Remains in the Division of Law

Re-accreditation:

Merit LLC Mountainside Hospital School of Nursing

The Committee reviewed the self-study submission from Merit LLC Mountainside Hospital School of Nursing and requested further clarification.

Holy Name Hospital (LPN)

The Committee reviewed the submission of additional materials of Holy Name Hospital (LPN) and requested further clarification and a site visit will be planned.

Curriculum Changes

a. On March 11, 2008 – Letter from Sandra Pieri Kearns, RN, MSN, CNE, Ocean County College LPN
Re: Request approval for curriculum changes.

The Committee reviewed the curriculum change that Ocean County College submitted. The new curriculum would delete NURS 165 and 166 and LPN’s will be able to challenge the new course NURS 175 and complete a 15-hour clinical skill test out. Then the students will go into NURS 176 as the transition course, which will have more psychiatric nursing than in the previous curriculum. The changes are to better accommodate the LPN's transition to the professional nursing role.

After discussion, the Board upon a motion made by Constance Wilson and duly seconded by Noreen D’Angelo, voted to approve Ocean County College Nursing Program curriculum change pursuant to N.J.A.C 13:37-1.16. The motion carried.

On March 12, 2008 – Memorandum from Dr. Susan Salmond, Interim Chair, UMDNJ-Rowan College Joint Program RN-BSN

RE: Curriculum changes

Since the change is related to an upper division nursing program approval by the Board of Nursing is not required. Staff will send a follow-up letter.

Re-Accreditation Schedule for RN and LPN programs

A revised draft of a flow sheet was disseminated and reviewed. Re-accreditation packets will be sent to the programs as per the schedule.

Constance Wilson reported: Session II of the March 25, 2008 Meeting Report:

Session II Correspondence:

a. March 11, 2008 – Letter from Timothy D. Luing, MBA, President, Dover Business College. Re: Requesting clarification on the status of the school and eligibility to submit a self-study report to achieve full accreditation.

Dover Business College would like the NCLEX results based on the individual classes rather than the yearly results. The school reported that there were 22 March graduates from the Clifton site of which 21 took NCLEX in 2007 of the 21; 17 passed the first time. Then one took NCLEX in 2008 with a pass rate of 77.27%. The school also reported that there were 15 March graduates from the Dover Campus of which 14 took NCLEX in 2007 and 11 passed with a pass rate of 78.75%. The Committee reviewed the letter and discussion ensued: At the time of application and provisional accreditation the school had a main campus in Paramus and a branch campus in Dover. The Paramus campus closed and opened in Clifton. The school requested separate codes and Dover and Clifton each has its own NCLEX Code. As per the application to the Board twenty (20) students were to be admitted in September 2005 at each campus for a total of (40) forty. After that another class was to start April 2006. The September class however was postponed until a new director for the program was hired.

NCLEX provides the G4 report to the Board which has been used to determine NCLEX pass rates for the schools based on all the graduates who have taken NCLEX in that calendar year. According to the G4 report the results for 2007 were as follows:

Dover Business College in Clifton:

Program Code	School	Total Candidates	Passed	Failed	% Passed
18-103	Dover Business College – Clifton	20	14	6	70.00

Dover Business College in Dover:

Program Code	School	Total Candidates	Passed	Failed	% Passed
18-102	Dover Business College-Dover**	43	33	10	76.74

It was noted that some of the students from Clifton used the Dover code and vice-versa. A total of 63 students took NCLEX with a 74.6% pass rate. If the Board discontinues using the G4 report and chooses to look at each class individually the “Dover” March class did not complete taking NCLEX. If the 15th graduate takes and fails NCLEX the class will have a pass rate of 73.33%. The school would theoretically have to wait until all the graduates took NCLEX since the results are dependent on the one graduate. Or the second Dover class would potentially have to achieve 75% and if a graduate that could sway the results above or below 75%, did not take the test this process could be continued exceeding the two year limitation for accreditation pursuant to N.J.A.C. 13:37-1.3. The Board does not require submission of class rosters. This would then become necessary so that the number and names of the students in the class would be available to determine if all the graduates of a particular class completed NCLEX since the results could change for that class if graduates take NCLEX a few years later and fail.

Conditional accreditation regulations review the “successive years, less than 75 percent of a nursing program's graduating students.” The regulation N.J.A.C. 13:37-1.3 regarding provisional accreditation utilizes the terminology for “first or second graduating class.”

After discussion, the Board upon a motion made by Irma Bojazi and duly seconded by Noreen D’Angelo, voted to refer this matter to the DAGs for further review. The motion carried.

New Program Applications

Com-Tec Institute – LPN (Part I)

The Committee reviewed the Part I application submission from Com-Tec Institute and requested clarifications/revisions.

BA Tech School – LPN (Part I)

The Committee reviewed the Part I application submission from BA Tech School and requested clarifications/revisions.

Review of additional materials submitted:

Essex County College (LPN) Self study

The Committee reviewed the submissions for Essex County College (ECC) and the additional materials are requested and a site visit will be planned.

Seton Hall University

The Committee reviewed the documentation submitted by Seton Hall University and a site visit was made.

After discussion, the Board upon a motion made by Constance Wilson and duly seconded by Marietta Cahill voted to grant provisional accreditation for the Seton Hall University Generic MSN CNL Program. The motion carried.

After discussion the Board, upon a motion made by Constance Wilson and duly seconded by Irma Bojazi, voted to approve Sessions I and II of the Education Committee Report of March 25, 2008. The motion carried.

REGULATION COMMITTEE:

Irma Bojazi reported:

1. Old Business:

Alternative to Discipline Program Proposal, N.J.A.C. 13:37-10:

The Committee discussed the Alternative to Discipline Program Proposal N.J.A.C. 13:37-10.5(c)4. This was referred to the Alternative to Discipline Committee for review and comment. After the Committee's review, the Alternative to Discipline Program Proposal will be presented to the Board for recommendation.

b. FN-CSA Educators Proposal, N.J.A.C. 13:37-9.5:

The Committee reviewed proposed changes to N.J.A.C. 13:37-9.5., which deals with instructors in FN-CSA education programs. This was referred to the Board for its next available meeting.

Time Frame for Education Program Application, N.J.A.C. 13:37-1.2:

The Committee discussed and agreed not to proceed with Time Frame for Education Program Application Proposal. This issue will be referred to the Board for recommendation.

Please note that on November 20, 2007, the Board voted to impose a moratorium on reviewing applications for new nursing education programs, which remains in Division of Law for approval.

New Business:

a. N.J.A.C. 13:37-5.5 Fee Schedule for each Licensing/Certification Scheme RN, LPN, APN, FN, : Darlene Lapola, DAG, brought to the Committee's attention the decision made by the Division of Consumer Affairs concerning the late renewal fee schedule for Registered Professional Nurses (RNs) and Advanced Practical Nurses (APNs).

The late renewal fee for APNs N.J.A.C. 13:37-5.5(c)5, will be deleted as part of the changes to Subchapter 7. Once those changes are adopted, an APN who renews his/her license late will pay only one late renewal fee, the RN late renewal fee, of \$50.00.

Transcript Evaluation for Foreign Graduates:

After the Committee's discussion on Transcript Evaluation for Foreign Graduates, the Committee agreed to table this issue until the next available Committee Meeting for further discussion.

After discussion, the Board upon a motion made by Irma Bojazi and duly seconded by Noreen D'Angelo, voted to direct Board staff to search the National Council's website to look for other States' profile to find out how many States use IELTS and TOEIC for evaluation of English Proficiency. The motion carried.

New Jersey Educators: Approved CEU Courses Online:

This issue was on the Committee's agenda for informational purpose.

d. Umbilical Cord Donation Proposal, N.J.A.C. 13:37-7.12

The Committee discussed the Umbilical Cord Donation Proposal, and determined that no regulations need to be developed on this matter.

After discussion the Board, upon a motion made by Patricia Murphy and duly seconded by Constance Wilson, voted to approve Regulation Committee Report of March 25, 2008. The motion carried.

OPEN FORUM:

Leo-Felix Jurado asked the public to share with the Board of Nursing any concerns, issues or questions:

Carolyn Torre, Director of Practice, NJSNA – commented on the continuing education regulation. Ms. Torre questioned whether the Board would be accepting continuing education hours for school nurses. Ms. Torre shared her experience with Board regarding the online renewal process and commented on the APN regulations and how it will effect CRNAs.

Josephine Sienkiewicz, RN, MSN, Director of Education and Clinical Practice, The Home Care Association of New Jersey thanked the Board for approval of attendance for George J. Hebert and Michelle Carroll to attend their annual meeting. Ms. Sienkiewicz shared her experience with the online renewal process, which went very well and she received her license in a timely manner.

After discussion, the Board upon a motion made by Constance Wilson and duly seconded by Marietta Cahill voted to go into closed session to discuss complaints against nursing programs and other disciplinary matters. The motion carried.

OPEN SESSION RESUMED:

NEW BUSINESS:

A conference call was held with President Jurado, George J. Hebert, Margaret Howard, Darlene Lapola along with the representatives from the Division of Consumer Affairs; Robert Campanelli, Ethics Officer, and Larry DeMarzo, Acting Director to discuss the disclosures of the dates of the open public meetings.

Discussion ensued regarding reorganizing the meetings for the continuation of 2008.

The Practice Committee and the Legislation Committee will not meet for the duration of 2008. The Regulation Committee will meet on the following days: July 29, 2008, September 23, 2008 and November 25, 2008.

ADJOURNMENT:

On April 15, 2008 the Regular Open Board Meeting was adjourned at 11:30 a.m. The next Open Business Meeting will be held on May 20, 2008.

After discussion the Board, upon a motion made by Irma Bojazi and duly seconded Patricia Murphy, voted to

adjourn the Regular Open Board meeting of April 15, 2008 at 11:30 a.m. The motion carried.

[2007 NCLEX Results](#) [pdf 127k]

Respectfully Submitted,

Patricia Murphy
Board Secretary/Treasurer

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