



# **New Jersey State Board of Nursing Minutes**

Regular Open Board Meeting  
June 18, 2002

A meeting of the New Jersey State Board of Nursing was held on June 18, 2002 in the Somerset Conference Room, 6th Floor, 124 Halsey Street, Newark, New Jersey, Maris A. Lown, President, called the meeting to order at 9:30 a.m.

## **ROLL CALL**

### **PRESENT**

Board Members: Noreen D'Angelo, Ronald H. Carr, Sylvia C. Edge, Veronica McGreevey, Margaret M. Kirchhoff, Cecilia West, Maris A. Lown, Virginia McKenney, Karen Rodriguez, Muriel Shore, and Nelson Tuazon.

### **ALSO PRESENT**

Patricia A. Polansky, Executive Director, New Jersey State Board of Nursing, Harriet Johnson, Assistant Executive Director, Barbara Byers, Administrative Analyst, George Hebert, Deputy Executive Director, Charles Manning, Regulatory Analyst, Deputy Attorney(s): General: Gus Lembo and Kathy Rohr.

### **NOT PRESENT**

Board Member: Karen Rodriguez

### **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, 2002. A schedule of all 2002 Regular Open Board Meeting to be held during 2002 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 June 18, 2002 Regular Open Board Meeting Agenda.

**THE BOARD, UPON A MOTION MADE BY MURIEL M. SHORE AND DULY SECONDED, VOTED FOR THE APPROVAL OF THE JUNE 18, 2002 REGULAR OPEN BOARD MEETING AGENDA.**

**THE MOTION CARRIED.**

A reading and approval of the minutes for the Regular Open Business Meeting of April 16, 2002.

**THE BOARD, UPON A MOTION MADE BY MARGARET M. KIRCHHOFF AND DULY SECONDED, VOTED FOR THE APPROVAL OF THE MINUTES OF THE REGULAR BOARD MEETING OF APRIL 16, 2002.**

**THE MOTION CARRIED.**

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

M. Lown reported. M. Lown continues to serve on the Colleague and Caring Steering Committee and the Articulation Subgroup. M. Lown welcomed and introduced Reni Erdos, Director, Division of Consumer Affairs.

## **PATRICIA A. POLANSKY - REPORT OF THE EXECUTIVE DIRECTOR**

P. Polansky reported. P. Polansky recognized the following Home Health Aide Staff Members: Valarie Herring, Licensing Supervisor, Theresa Henderson, Virginia White, Keisha Clair, Maryann Esposito, Gladys Quarshie, Lashauna Williamson, Soledad Matos, Sylvia Davis, Tania Alfonso, Ivelisse Felicano, Mary Wilson and Linda Adamkowski for all their hard work and dedication regarding the CHHA process and criminal background procedure for 32,000 licensees.

- Welcome the new Board Member - Veronica McGreevey
- Mass mailing regarding HHA's verifications
- CHHA Renewal 2002 - CSC/BON Walk-Ins with Finger Print Cards - 1,100 people in total.
- Information re: the Nurse Executive Constituency Group Meeting
- New Jersey Board of Nursing Workshop/Retreat 2002 Evaluation Results
- Letter dated June 2002 from Anthony Miragliotta re: License Renewal Information
- As of June 3, 2002- Latest update on CHHA - Status and Criminal History Review Unit - the State of New Jersey has signed a contract for Electronic Fingerprinting that will be in effect August 2002.
- Memo date May 31, 2002 from Sharon Joyce re: Thanking Katherine Schwed, DAG for work on the nursing database.
- Memo dated May 31, 2002 from June Levy re: Records and Identification Newsletter.
- Memo dated May 7, 2002 from Kristin Hellquist re: Two news releases from NCSBN 1.) NCSBN welcomes two more states to the Nurse Licensure Compact. **(Indiana and Tennessee)** 2.) NCSBN holds 8th Annual Advanced Practice Nurse Roundtable.
- Email dated April 26, 2002 from AHA News 1.) Campaign to promote nursing careers hit movie theaters next month. 2.) South Florida students shadow hospital nurses for a day.
- Memo dated April 12, 2002 re: Online Licensee Directories. **(No longer display licensee street address only town, state and zip)**
- NCBN - Position Statement - Foreign (International) Nurse Immigration.
- Survey on How Immigration Affects The Whole Country.

Broaden The Base - Article on "The Civilian Labor Force."

- **"Handouts/Pass Arounds"** - 1.) Pamphlet re: An educational program on cancer in the classroom. 2.) Pamphlets - National Council on Patient information and education. 3.) A tribute reception in honor of Hurdis M. Griffith, PH.D., RN., FAAD, Dean and Professor on May 20, 2002. 4.) Memorial Mass for Dorothy Donovan Fleming on May 5, 2002. 5.) Program of the day - Partner in Preparedness. 6.) Health Care Report - New "Au Pair" concept for elderly. 7.) Thank you letter to Charles Thomas re: Resolution R-209 Adopted by the board of chosen freeholders meeting held on May 14, 2002. 8.) Article from CAPNA re: Deluxe Healthcare. 9.) Karen Rodriguez, LPN made cover of Advance For LPN as 2002 LPN of the year. 10.) NCSBN - Nurse Practice Act Online CE Courses. 11.) Letter from Jean Alan Bestafka re: Thank you letter to the Board of Nursing for their efforts in solving the problems with certifications of CHHAs. 12.) Disease Management Advisory Newsletter. 13.) DM Urged Focus on Epidemic of Obesity. 14.) Crain's New York Article - More Firms Watching Closely. 15.) Lifelines Newsletter. 16.) Center for Nursing & Health Careers - NJHA.
- 17.) Thank you to Kathy Rohr, DAG - Retiring July 1, 2002 as a Counseling Deputy, 18.) August Lembo, DAG retiring Mid July or September. 19.) Information regarding Medical Errors (separate folder)
- **"Communication Packet"** - 1.) Letter dated May 20, 2002 Eileen P. Williamson, Executive Director, Nursing Spectrum re: The Expansion of Online Services. 2.) Bioterrorism Bill Heads to President's Desk. 3.) ANA - Press Release - American and Foreign Nurses Abused by Massive Visa Fraud. 7.) Stories.
- **"Information Salad"** - 1.) Nursing Wounds. 2.) Lupus Death Toll Increases. 3.) Preoperative Fasts Still Overdone. 4.) Breast Cancer: The Benefits of Exercise. 5.) Jogging Shorts.
- P. Polansky seeks approval for: 1.) Patricia Polansky - May 10, 2002 - Addressed the staff at Horizon BC/BS - National Nurses Week Celebration, Newark, NJ. 2.) Joanne Cole - July 9, 2002 - To participate in NURS 5105: Clinical Pharmacology at UMDNJ in Stratford, NJ. 3.) George Hebert - August 4-7, 2002 - To attend Mosby's Faculty Development Summer Institute 2002 in Toronto, Ontario, Canada. 4.) Patricia Polansky - September 27, 2002 To attend The Annual Dinner Dance and Awards Night of The Philippine Nurses Association of New Jersey, Inc. At The Double Tree Hotel in Somerset, NJ. 5.) Patricia Polansky - November 11-14, 2002 - To attend The CAC - IOM Summit, Chicago, IL. 6.) Joanne Cole - December 6-7, 2002 - To participate in the Interdisciplinary Training Institute at the NJ AHEC in Stratford, NJ.

**THE BOARD, UPON A MOTION MADE BY CECILIA WEST AND DULY SECONDED, VOTED TO APPROVE THE APPEARANCES OF THE EXECUTIVE DIRECTOR AND STAFF.**

**THE MOTION CARRIED.**

**Communication:**

1. Email dated May 1, 2002 from Linda Blain re: Nursing Rule Proposal Comments.
2. Letter dated April 16, 2002 from Richard Freda re: Resignation as Board Member.
3. Letter dated April 12, 2002 from Jane O'Donnell, MSN, RN, APN, C re: Resignation as Dean of Nursing & Allied Health from Ocean County College, Toms River, NJ.

**APPEARANCES:**

1. Dorcas O'Neal, Executive Director, Kenneth Capek, Chairperson, Respiratory Care Board and Joyce Brown, DAG. Discussed with the Board concerns and issues regarding "delegation issues embracing respiratory care."
2. Catherine Cardea, RN, MS, Director of Professional Practice and Quality Initiatives, New Jersey Hospital Association. Ms. Cardea presented a detail discussion regarding "Patient Safety in the Workplace." Handouts were

passed out regarding "Help prevent errors in your care."

## **COMMITTEE REPORTS:**

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

No report.

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

S. Edge reported. The Education Committee met on June 11, 2002 to discuss the following:

Issue: **Fairleigh Dickinson University**

**Informational:** Provided the Action Plan requested by the Board.

Issue: **Felician College, Division of Health Sciences**

**Informational:** Provided the Action Plan requested by the Board.

Issue: **UMDNJ, School of Nursing**

**Informational:** Provided the Action Plan requested by the Board.

Issue: **Union County College**

**Informational:** The Committee identified that Ms. Castaldi had submitted a particularly clear and comprehensive program reorganization application meeting the requirements of N.J.A.C. 13:37-1.1(a), (b).

**THE BOARD, UPON A MOTION MADE BY SYLVIA C. EDGE AND DULY SECONDED, VOTED TO GRANT PROVISIONAL APPROVAL TO UNION COUNTY COLLEGE TO PURSUE REORGANIZATION OF THE NEW PRACTICAL NURSE PROGRAM.**

**THE MOTION CARRIED.**

Issue: **Southern New Jersey Technical Institute**

**Informational:** NJ Technical Institute presented a complete proposal for the establishment of a Practical Nurse Program. The Education Committee feels the proposal meets the standards and requirements for provisional accreditation as set for in N.J.A.C. 13:37-1.3 Criteria for granting and withdrawing accreditation. Upon Board receipt and evaluation of the results of the licensing examination of the first graduating class, the program status will be further reviewed.

**THE BOARD, UPON A MOTION MADE BY SYLVIA C. EDGE AND DULY SECONDED, VOTED TO GRANT PROVISIONAL ACCREDITATION TO SOUTHERN NEW JERSEY INSTITUTE TO BEGIN A PRACTICAL NURSE PROGRAM.**

**THE MOTION CARRIED.**

Issue: **microTech Training Center**

**Informational:** microTech Training Center presented a complete proposal for the establishment of a Practical Nurse Program. The Education Committee feels the proposal meets the standards and requirements for provisional accreditation as set for in N.J.A.C. 13:37-1.3 Criteria for granting and withdrawing accreditation. Upon Board receipt and evaluation of the results of the licensing examination of the first graduating class, the program status will be

further reviewed.

**THE BOARD, UPON A MOTION MADE BY SYLVIA C. EDGE AND DULY SECONDED, VOTED TO GRANT PROVISIONAL ACCREDITATION TO MICRO TECH TRAINING CENTER TO BEGIN A PRACTICAL NURSE PROGRAM.**

**THE MOTION CARRIED.**

**Issue: New Community Workforce Development Center Practical Nurse Program**

**Informational:** New Community Workforce Development Center Practical Nurse Program presented a complete proposal for the establishment of a Practical Nurse Program. The Education Committee feels the proposal meets the standards and requirements for provisional accreditation as set for in N.J.A.C. 13:37-1.3 Criteria for granting and withdrawing accreditation. Upon Board receipt and evaluation of the results of the licensing examination of the first graduating class, the program status will be further reviewed.

**THE BOARD, UPON A MOTION MADE BY SYLVIA C. EDGE AND DULY SECONDED, VOTED TO GRANT PROVISIONAL ACCREDITATION TO NEW COMMUNITY WORKFORCE DEVELOPMENT CENTER PRACTICAL NURSE PROGRAM TO BEGIN A PRACTICAL NURSE PROGRAM.**

**THE MOTION CARRIED.**

**Issue: NCS Pearson/VUE (New NCLEX vendor)**

**Informational:** As of August 15, 2002 the Chauncey Group/ProMetric will no longer be accepting applications for NCLEX examinations. They will offer their final testing services on Monday, September 30, 2002.

Beginning Friday August 16, 2002 NCS Pearson/VUE will begin accepting applications for NCLEX-RN and NCLEX-PN. The first testing sessions will begin Tuesday, October 1, 2002.

**Issue: New Jersey Council of County Vocational Schools**

**Information:** The New Jersey Council of County Vocational Schools sent a letter to the Board of Nursing at the end of May 2002 requesting copies of the school-by-school results for NCLEX-RN and NCLEX-PN for the years 2000, 2001 and 2002. The Education Committee reviewed the request. Although there is no current requirement to provide such information to the public, effective July 8, 2002 this information will be considered public information and will need to be made available to the public upon request.

**THE BOARD, UPON A MOTION MADE BY SYLVIA C. EDGE AND DULY SECONDED, VOTED TO GRANT PERMISSION TO RELEASE THE SCHOOL-BY-SCHOOL RESULTS FOR NCLEX-RN AND NCLEX-PN FOR THE YEAR 2000, 2001 AND 2002.**

**THE MOTION CARRIED.**

**Issue: Complaint about services provided by the Commission on Graduates of Foreign Nursing Schools (CGFNS)**

**Information:** Mr. Andre Makater of Career Improvement Consulting, Inc. accompanied by Ms. Irene Goldfield and two associates requested and were granted permission to address their concerns about the poor services that they contend are being provided to foreign nurse graduates by CGFNS.

Additionally, they expressed concern that foreign RN graduates were required to pass the nursing predictor examination offered by CGFNS as a screening mechanism. They expressed concern that it did not serve any purpose since NCLEX would be responsible for determining one's eligibility for licensure.

This matter is being referred to the Regulatory Committee.

Issue: **Loving Care Agency, Inc. requesting approval to establish a school of nursing**

**Information:** Loving Care Agency, Inc. is an agency that provides contracted patient care services. It is not affiliated with any academic institution. They are interested in establishing an registered nurse program.

**THE BOARD, UPON A MOTION MADE BY SYLVIA C. EDGE AND DULY SECONDED, VOTED TO DENY LOVING CARE AGENCY, INC. APPROVAL OF THEIR REQUEST TO ESTABLISH A SCHOOL OF NURSING.**

**THE MOTION CARRIED.**

Issue: **Gloucester County College Curriculum Change**

**Information:** Gloucester County College is requesting approval for a change in its curriculum effective Fall 2002. The change involves moving one credit from the first to second semester. The additional credit in the second semester will be used to increase the clinical time. It is anticipated that the additional time will enhance student potential to master skills.

**THE BOARD, UPON A MOTION MADE BY SYLVIA C. EDGE AND DULY SECONDED, VOTED TO APPROVE GLOUCESTER COUNTY COMMUNITY COLLEGE'S PROPOSED CURRICULUM CHANGED.**

**THE MOTION CARRIED.**

Issue: **Thomas Jefferson University**

**Informational:** Communication received by from Dr. James Sulton, Jr. PhD of the Commission on Higher education confirmed approval of licensure of Thomas Jefferson University (Philadelphia) to offer nurses employed by AtlantiCare Health System six undergraduate courses at AtlantiCare's Atlantic City Medical Center. The license for Thomas Jefferson University will be effective during the 2002-03 academic year for the two courses specified for fall 2002 and the four specified for spring 2003.

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

P. Polansky reported. The Legislative Review Panel reviewed the following bills:

- **Assembly Bill 1715** - Sponsor: Friscia, Arline M. Introduced February 4, 2002. This bill prohibits hospitals from denying admission or services to patient based on patient's HMO coverage, and requires IMO's to cover legitimate emergency health care. **Position - Neutral.** Comment(s): 1.) Bill superfluous and not needed despite current situation with HMO's and federal law requiring coverage for true emergency ER care. 2.) Vague language regarding emergency room part - "is stabilized" specifically. 3.) Severe implications for hospitals already compromised financially. 4.) The Board of Nursing does not have anything to do with payment systems or regulations of insurance. 5.) Severe federal and state penalty violations already in place for patient dumping.
- **Senate Bill 970** - Sponsor: Singer, Robert W. Introduced February 21, 2002. This bill requires criminal history record background checks for health care professionals as condition of initial licensure. **Position - Support with Amendments.** Comment(s): 1.) Conceptually excellent public protection. 2.) If implemented must be done on each renewal, initial check is not sufficient protection. 3.) Enormous amount of data and budget allocation. Needs to be a study of the implications of cost that would be necessity be in excess of multiple millions of dollars. 4.) Cost provisions would need to be made for the millions of dollars needed for increased staffing into the future at the Division of Consumer Affairs needed to implement and sustain.
- **Assembly Bill 1641** - Sponsor: Cohen, Neil M. Introduced January 31, 2002. This bill requires notification for potential license revocation of child care providers and certain health care facilities. **Position - Support with**

**Amendments.** Comment(s): 1.) Could dramatically affect vulnerable populations on both ends of life spectrum, especially children and elderly. 2.) Notification of violations to the elderly population could create a genuine level of fear and alarm that could be unwanted. 3.) Intent of bill is admirable however, execution is vague; allows malicious complaints to lead to investigations. What constitutes notification? Bill does not appropriately outline procedure to be followed. 4.) Needs to be amended re: a) Type of investigation(s). b) Timing to be determined. c) Notification by the investigating agency. d) Department of Health and Senior Services could draft regs as to when and how facilities notify residents.

- **Assembly Bill 1643** - Sponsor: Cohen, Neil M. Introduced January 31, 2002. This bill requires insurers which provide prescription drug benefits to cover costs of medications for treating sickle cell anemia. **Position - Support with Amendments.** Comment(s): 1.) Cost implications for employers and overall are unknown. 2.) Resolved that it's applicable to all insurers not just those that can change their premium(s).
- **Assembly Bill 103** - Sponsors: Thompson, Samuel D./Munoz, Eric/ Weinberg, Loretta/Smith, Robert J. Introduced January 8, 2002. This bill lowers age of consent for minors to donate blood without parental permission to 17. **Position - Oppose.** Comment(s): 1.) Why a bill of this nature despite knowing there is a diminished blood supply? 2.) Would this bill make a substantive difference in blood supply by lowering the age by 1 year? 3.) Would have to have substantive data to show cause for A 103.
- **Assembly Bill 1970** - Sponsors: DiGaetano, Paul/O'Toole, Kevin J. Introduced March 4, 2002. This bill provides for fingerprinting of certain applicants or employees and exchange of criminal history records. **Position - Monitor for more information.** Comment(s): 1.) Many components of this bill are already current law. 2.) As a matter of public security only those ID by the 3 entities would be impacted. 3.) Board of Nursing does not feel it has enough information to give impetus to such legislation at this time.

**THE BOARD, UPON A MOTION MADE BY RONALD CARR AND DULY SECONDED, VOTED TO APPROVE THE RECOMMENDATIONS OF THE LEGISLATIVE REVIEW PANEL.**

**THE MOTION CARRIED.**

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

N. Tuazon reported. The Nursing Practice Committee met on April 16, 2002 to discuss the following:

Issue: **Guest Appearance, Nursing Perspectives**

**Informational:** Barbara Tofani, M.S.N., R.N., A.O.C.N., A.P.N., C., Director of the Center for Nursing and Health Careers, New Jersey Hospital Association, and Carolyn Torre, M.S.N., R.N., A.P.N., C., Director of Practice, New Jersey State Nurses Association discussed their roles with the Nursing Practice Committee on April 16, 2002. A packet was distributed entitled The Center for Nursing and Health Careers (attached).

Issue: **Program on Diabetes Management in School Age Children**

**Informational:** On May 21, 2002, during the New Jersey State School Nurses monthly meeting held at the East Brunswick Chateau, the Board's Nursing Practice Committee presented a program on Diabetes Management in School Age Children. Ninety-six (96) school nurses from counties across New Jersey attended the meeting. Fran Melchione, Ed.D., R.N., C.D.E., Pediatric Diabetes Educator, was the keynote speaker. The program was a follow-up to the Board's Tele-conference on "Diabetes: The Disease that is Treatable and Beatable" broadcasted from the New Jersey Hospital Association on September 25, 2001.

Theresa M. McLaughlin, B.S., R.N., CSN, Education Chair, New Jersey State School Nurses Association, thanked the Board in the attached letter dated May 29, 2002.

Issue: **LPN Practice Issues**

**Informational:** In response to the nursing practice issues raised by Domonic Biondi, President of the Licensed Practical Nurses Association of New Jersey, regarding LPN's taking telephone orders from physicians in hospital settings and the role of LPN's in nursing assessments, as well as numerous practice issues raised by the nursing community, the Nursing Practice Committee will host a Summit on LPN Nursing Practice Issues on October 11, 2002, 9:30 a.m. - 12:30 p.m. The Summit is tentatively being scheduled at the Monmouth County Vocational-Technical School in Asbury Park, New Jersey.

#### Issue: **Nursing Delegation, Red Cross Nurses**

**Informational:** The Board of Nursing has been presented with several issues regarding certain practices by the American Red Cross/Blood Services/Penn-Jersey Region involving Donor Collection Assistants ("DCA's"). A Blood Donation Record ("BDR") is a form to be completed by the prospective blood donor. It includes 43 health history questions. Previously, if a "yes" answer was given on 24 of these questions (or "no" on question #1 -- "Are you in good health today?"), the prospective donor was referred to an RN for investigation. Recently, the procedures were changed so that a positive response to only one question would give rise to a referral. (Question #28: "In the past six months, have you suffered from heart-related chest pains?") For all other questions, the DCA works through a set of protocols with follow-up questions.

Concerns were expressed by nurses who brought this matter to the attention of the Board as to whether the actions of the DCA's constitute unlicensed nursing practice and whether any registered nurses employed by the Red Cross at these collection sites are responsible for the delegation of these tasks to the DCA's.

The Nursing Practice Committee reviewed documentation presented by the concerned nurses and listened to oral presentations by these nurses. There followed written and telephonic communications with Red Cross officials. Members of the Committee and Board staff and Deputy Attorney General then met in Philadelphia with representatives of the Red Cross and reviewed the protocols and other documentation presented by the Red Cross.

#### **Discussion:**

**FIRST ISSUE:** Is the registered nurse who serves as the "nurse manager" or as a "staff nurse" responsible for the delegation of the decision making with respect to affirmative answers by prospective blood donors if no question is asked of the RN and the RN does not become particularly involved with any individual prospective blood donor?

**RESPONSE:** No. The delegation of the task to the DCA is made by the medical director who is a physician. Accordingly, the RN is not responsible for the delegation. However, if a question is brought to the attention of the RN, including, but not limited to, an affirmative response to question #28, the RN must act consistently with a proper standard of care.

It should be noted that the Board responds to this question only in terms of any possible discrepancy action against the nursing license. The Board is not addressing any issue regarding civil liability in any possible civil court action. That is an issue which should be raised with private attorneys.

**SECOND ISSUE:** Does the conduct of the DCA's constitute the unlicensed practice of nursing?

**RESPONSE:** No. A delegation is being made by the medical director, a physician.

The Board notes that the protocols which are used by the DCA's following a "yes" answer to a question appear to be quite specific and well-developed to insure the safety of the patient and of the blood supply. The Board also notes that, with respect to the safety of the blood supply, the BDR is reviewed once again in conjunction with the testing of the blood.

While it therefore appears to the Nursing Board that the delegation to the DCA's is reasonable, the issue of the propriety of the delegation by the medical director may ultimately be a question for the Board of Medical Examiners and not for the Nursing Board.



**THE BOARD, UPON A MOTION MADE BY NELSON TUAZON AND DULY SECONDED, MOVED THAT:**

A.) RN'S ARE NOT RESPONSIBLE FOR DELEGATION OF NURSING TASKS TO THE DCA'S, EXCEPT TO THE EXTENT THAT THE RN BECOMES PARTICULARLY INVOLVED IN A PARTICULAR PATIENT, AND

B.) GIVEN THE INFORMATION AVAILABLE TO THE BOARD, NO VIOLATION OF THE STATUTES AND REGULATIONS ADMINISTERED BY THE NURSING BOARD IS OCCURRING.

**THE MOTION CARRIED.**

**Issue: APN Prescriptive Practice, Requirements for Collaborative Physician Licensure in Federal Facilities located in New Jersey**

**Informational:** A letter was received from Kathleen Gender, RN, MSN, MA, Director of Nursing/Medicine, questioning whether nurse practitioners can establish a written collaborative practice agreement in a Federal agency located in New Jersey with other than New Jersey licensed physicians and still meet the Board of Nursing requirements for their APN Certification.

**THE BOARD, UPON A MOTION MADE BY NELSON TUAZON AND DULY SECONDED, VOTED TO MOVE THAT FEDERAL LAW SUPERCEDES NEW JERSEY LAW; THEREFORE, IN FEDERAL FACILITIES, APN'S MAY ESTABLISH A WRITTEN COLLABORATIVE AGREEMENT WITH A PHYSICIAN LICENSED IN ANOTHER STATE PROVIDED THAT IT IS PERMITTED BY FEDERAL LAW.**

**THE MOTION CARRIED.**

## **5. REGULATORY COMMITTEE:**

M. Shore reported. The Regulatory Committee met on June 11, 2002 to discuss the following:

**Issue: Committee Regulations Flow Sheet 2002**

**Informational:** The committee updated the Regulations Flow Sheet which outlines the regulatory issues the committee will be addressing.

The committee's agenda for July 9, 2002 will focus on Advanced Nursing Practice issues including further review of the proposed amendments in Subchapter Seven.

**Issue: Continuing Education Regulations**

**Informational:** The committee has approved draft regulations for continuing education. These proposed regulations are being presented, June 18, 2002, for the Board's review, comments and action.

**Issue: Certified Registered Nurse Anesthetists (CRNA)**

**Informational:** The committee discussed a letter which requested that the Board certify Certified Registered Nurse Anesthetists (CRNA) as Advanced Practice Nurses (APN), that the Board "grandfather" those CRNA's who are currently practicing but do not hold a masters degree and that the Board declare in regulation that APN's who work as CRNA's need not hold prescriptive authority to administer anesthesia.

## **OPEN FORUM:**

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

## **UNFINISHED BUSINESS:**

No report.

## **NEW BUSINESS:**

No report.

## **OLD BUSINESS:**

C. Manning, Regulatory Analyst discussed with the Board the following issues:

1. SANE Regulations
2. CE Rules 13:37-5.3

**THE BOARD, UPON A MOTION MADE BY DR. MURIEL M. SHORE AND DULY SECONDED, VOTED TO APPROVE THE CE RULES.**

**THE MOTION CARRIED.**

There is a posting of the minutes on our website:

[www.state.nj.us/lps/ca/home.htm](http://www.state.nj.us/lps/ca/home.htm)

## **ADJOURNMENT:**

On June 18, 2002 the Regular Open Business Board Meeting was adjourned at 2:00 p.m. The next Regular Open Business Meeting will be on July 16, 2002.

Respectfully submitted,

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Dr. Muriel M. Shore  
Secretary/Treasurer

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*Posted July 2002*