

**NEW JERSEY STATE BOARD OF NURSING
MINUTES
REGULAR OPEN BOARD MEETING
OCTOBER 17, 2006**

A meeting of the New Jersey State Board of Nursing was held on October 17, 2006 in the Somerset Conference Room, 6th Floor, 124 Halsey Street, Newark, New Jersey. Nelson Tuazon, Board President, called the meeting to order at 9:30 a.m.

ROLL CALL

BOARD MEMBERS PRESENT:

Noreen D'Angelo Patricia Ann Murphy
Ronald H. Carr Sara Torres – left at 11:00 am
Leo-Felix Jurado Nelson Tuazon
Irma Lupia Constance Wilson
Virginia McKenney

ALSO PRESENT:

George J. Hebert, Executive Director
Barbara Byers, Administrative Analyst
Carol Onajide, Education Program Development Specialist II
Karen Moosvi, Deputy Executive Director
Margaret Howard, Field Representative
Darlene Lapola, Deputy Attorney General
Charles Manning, Regulatory Analyst, (for limited purposes)

BOARD MEMBER(S) EXCUSED ABSENCE:

Marietta Cahill
Karen Rodriguez
Mary Sibley

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 21, 2005. A schedule of all 2006 Regular Open Board Meetings to be held during 2006 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 October 17, 2006: Reading and Approval with amendments:

List under Practice Committee – Addition: Correspondence #2 – August 15, 2006, e-mail from Josephine Sienkiewicz, RN, MSN, Director of Education and Clinical Practice, Home Care Association of NJ, Inc., regarding RNs carrying influenza/pneumonia vaccine to administer to patients. Addition: Correspondence #9 – Letter from D. Vincent Penry, RN, NP-C, MS, VP of Clinical Operations-NP Care, LLC regarding plans to establish a “house staff” type of medical care model. Regulations Committee will present its report first.

After discussion the Board, upon a motion made by Noreen D'Angelo and duly seconded by Leo-Felix Jurado,

voted to approve the Regular Board Meeting Agenda of October 17, 2006 with amendments. The motion carried.

MINUTES:

Open Regular Board Meeting Minutes of September 19, 2006: Reading and Approval.

After discussion the Board, upon a motion made by Constance Wilson and duly seconded by Ronald H. Carr, voted to approve the Regular Board Meeting Minutes of September 19, 2006. The motion carried.

REPORT OF THE BOARD PRESIDENT – NELSON TUAZON:

National Council of State Boards of Nursing (NCSBN) has elected Faith Field, Executive Director, Arkansas State Board of Nursing as the new president. NCSBN will be conducting various meetings and teleconferences to keep member boards updated on the work of its organization. Member Boards are encouraged to participate in these activities.

Puerto Rico is no longer a member board of NCSBN. A decision was made at the assembly meeting at the NCSBN Annual meeting that since Puerto Rico no longer uses the NCLEX and they are not eligible to be a member board of NCSBN.

The Philippine President Gloria Macapagal is pursuing the option of requiring all nursing students that took the exam at the time of the leak of information to retake the exam.

The Board received a letter from the New Jersey State Nurses Association recommending Patricia O'Brien, RN, Chairperson of the Peer Assistance Forum of the Institute for Nursing as the replacement for Nancy Haddock, RN on the Alternative to Discipline Committee.

After discussion the Board, upon a motion made by Patricia Ann Murphy and duly seconded by Noreen D'Angelo, voted to approve the recommendation of Patricia O'Brien, RN to the Alternative to Discipline Committee. The motion carried.

REPORT OF THE EXECUTIVE DIRECTOR – GEORGE HEBERT:

George J. Hebert reported that:

George J. Hebert and Karen Moosvi spoke about the Post Partum Depression Law that was passed. It mandates nurses, physicians, midwives and other licensed health care professionals providing prenatal care to women to help educate the women and their families about Post Partum Depression in order to diagnose and treat Post Partum Depression early.

Patient Safety Initiative – Information on this issue can be found at the Dept of Health and Senior Services Website. It discusses medical errors that are made each year.

The United States is celebrating its 300th million citizen.

Statistics for month of August 2006 there are 109,288 active registered nurses, 5,558 inactive registered nurses; 20,857 active licensed practical nurses, and 997 inactive licensed practical nurses; 3,680 active advanced practice nurses, 543 inactive advanced practice nurse; 208 forensic nurses, 6 inactive forensic nurses and there are 33, 446 active homemaker home health aides, 1,185 inactive homemaker home health aides; 320 active massage, bodywork and somatic therapists.

Seeking approval for the following:

October 21, 2006 – George J. Hebert to present on the practice of nursing at the Minority Leadership Institute.
November 6-7, 2006 – Eric Saenz to attend the NCSBN 2007 Nursys Users Group Meeting in Chicago, IL.
December 12, 2006 – George J. Hebert to attend the Investigator Summit in Washington, DC.

After discussion the Board, upon a motion made by Patricia Ann Murphy and duly seconded by Constance Wilson, voted to approve the appearances of the Executive Director and staff. The motion carried.

CORRESPONDENCE:

1. August 15, 2006, letter from Faith A. Fields, MSN, RN, NCSBN President, comments regarding HR 5688, the "Healthcare Truth and Transparency Act of 2006".

August 15, 2006, e-mail from Josephine Sienkiewicz, RN, MSN, Director of Education and Clinical Practice, Home Care Association of NJ, Inc., regarding RNs carrying influenza/pneumonia vaccine to administer to patients.

After the discussion, the Board, upon a motion made by Patricia Ann Murphy and duly seconded by Constance Wilson, voted to discuss this letter during the Practice Committee Report. The motion carried.

August 30, 2006, e-mail from Thomas O'Neill, Ph.D., Associate Director of NCLEX Examinations indicating Puerto Rico has ceased to be a member board of NCSBN.

September 1, 2006, e-mail from The National Nurse Team regarding a Press Release on the Members of the National Nurse Team and Supporters are returning to Capitol Hill on September 6-8, 2006 to educate members of Congress about the National Nurse Act of 2006.

September 20, 2006, letter from Lynda Kopishke, MSN, RN, LNCC, President, American Association of Legal Nurse Consultants, regarding the publication of the Legal Nurse Consulting: Scope & Standards of Practice.

September 27, 2006, e-mail from Leo Felix Jurado, MA, RN, CAN, APN, C, Board Member of the New Jersey Board of Nursing regarding an article in the Manila Times that the President was ordering a retake of the nursing test.

September 27, 2006, letter from Carolyn Torre, RN, MA, APN, C, Director of Practice, New Jersey State Nurses Association regarding new continuing education rule: N.J.A.C. 13:37-5.3. After discussion, the Board upon a motion made by Virginia McKenney and duly seconded by Patricia Ann Murphy, voted to discuss this letter during the Regulation Committee Report. The motion carried.

September 27, 2006, letter from Andrea W. Aughenbaugh, RN, CS, CAE, Chief Executive Officer, New Jersey State Nurses Association regarding a commendation for Patricia O'Brien, RN, to be a member of the Alternative to Discipline Committee. This letter was previously discussed in the President's report.

Letter from D. Vincent Penry, RN, NP-C, MS, VP of Clinical Operations-NP Care, LLC regarding plans to establish a "house staff" type of medical care model. They are seeking clarification from the Board. Carol Onajide has drafted a response for Board approval. This letter will be discussed during the Practice Committee Report.

COMMITTEE REPORTS:

REGULATION COMMITTEE: - Sara Torres, Chairperson

Sara Torres reported:

1. September 27, 2006, letter from Carolyn Torre, RN, MA, APN, C, Director of Practice, New Jersey State Nurses Association regarding the new continuing education rule: N.J.A.C. 13:37-5.3.

After discussion the Board, upon a motion made by Virginia McKenney and duly seconded by Patricia Ann Murphy, voted to refer Ms. Torre's letter to the Regulation Committee for further discussion. The motion carried.

Charles Manning discussed the following issues:

1. N.J.A.C. 13:37-5.5, Fee Schedule

The Board discussed revisions to the fee schedule to add inactive and active fees for advanced practice nurses.

After discussion the Board, upon a motion made by Patricia Ann Murphy and duly seconded by Ronald H. Carr, voted to approve the revisions to N.J.A.C. 13:37-5.5, Fee Schedule. The motion carried.

2. N.J.A.C. 13:37-14.2, Homemaker-Home Health Aide (CHHA)

The Board discussed revisions to the CHHA Regulations to accommodate new laws regulating CHHAs.

After discussion the Board, upon a motion made by Noreen D'Angelo and duly seconded by Leo-Felix Jurado, voted to approve the revisions to N.J.A.C. 13:37-5.5, Homemaker-Home Health Aide. The motion carried.

2. EDUCATION COMMITTEE: - Leo-Felix Jurado, Chairman

Leo-Felix Jurado reported: Session I of the September 26, 2006 Meeting Report

1 Correspondence:

July 19, 2006 – Letter from CGFNS International

Re: FYI, Questionable Licensing and English Exam Practices CGFNS reported that there have been concerns regarding 599 examinees from West Negros College who passed the nursing license exam in the Philippines, because their education at the college was contrary to the Commission on Higher Education rules. They were enrolled “in an excess of 30-35 units per semester.” Of these 429 were licensed and took the Oath of Nurse. CGFNS also reported that licensure in the home country is not necessary for Visascreen but is a requirement of the Certification Program. In addition, CGFNS also reported the discovery of “fraudulent English Proficiency Scores” with IELTS and has been working with IELTS regarding security. September 6, 2006 – Letter from Michelle L. Foley, RN, C, MA, Director, Nursing Education, The Charles E. Gregory School of Nursing

Re: FYI, Notification that the Charles E. Gregory SON will be closing. Anticipated closing date is June 30, 2009. c. September 6, 2006 - Letter form Michelle L. Foley, RN, C, MA, Director, Nursing Education, The Charles E. Gregory School of Nursing

Re: FYI, Request to start a new nursing program at Middlesex County College

Application packet sent September 20, 2006.

d. September 15, 2006 - Letter form Michelle L. Foley, RN, C, MA, Director, Nursing Education, The Charles E. Gregory School of Nursing Re: Request not to have to complete the re-accreditation process for Charles E Gregory SON since the school is closing. The school would like to have the accreditation extended.

The Committee wishes to review the school’s most recent NLNAC Accreditation Report prior to making a recommendation regarding this request.

August 15, 2006 – Letter from Mary G. Schaal, RN, EdD, Dean and Professor, Thomas Jefferson University Re: FYI, Notification that the Department of Nursing, Jefferson College of Health Professionals, Thomas Jefferson University has been designated Jefferson School of Nursing.

f. August 3, 2006 – Letter from Marthe J. Leveille, RN, MSN, PN Program Director, Best Care Training Institute Re: FYI, Notification that on September 6, 2006 Best Care will begin a new PN class.

g. August 3, 2006 – Letter from Michele Sainsott, MSN, CNS, RN, Outgoing Coordinator/Instructor, Atlantic County Institute of Technology Re: FYI, Notification that Jacqueline M. Petersen, MSN, MBA, BSN, RN, has accepted the coordinator position for the LPN program.

August 30, 2006 – Letter from Rafael Castilla, MD, Corporate Director of Education, HoHoKus School of Business and Medical Sciences Re: FYI, Resume of Nancy Fixler for review and approval to become a nursing faculty member with an MSN and Bachelors Degree in Social Work. Presently as per N.J.A.C. 13:37-1.7 (b) 4. Faculty members shall: “For faculty in licensed practical nursing programs who began their current employment position after September 1, 1981, hold a bachelors degree with a major in nursing.”

After discussion the Board, upon a motion made by Leo-Felix Jurado and duly seconded by Patricia Ann Murphy, voted that Ms. Fixler, who has received a MSN, may teach in the LPN program. The motion carried.

After discussion the Board, upon a motion by Leo-Felix Jurado and duly seconded by Patricia Ann Murphy, voted that a regulatory change to N.J.A.C. 13:37-1.7 (b) 4. Faculty members shall: For faculty in licensed practical nursing programs who began their current employment position after September 1, 1981, hold a bachelors degree or higher with a major in nursing. This is to be referred to the regulatory committee for drafting. The motion carried.

Licensure of Faculty of Online Nursing Education Programs / Online Survey of Board of Nursing, August 2006 Statistical Analysis was reviewed.

International Nursing Services Incorporated / 7 Week US-RN NCLEX Review Course Syllabus Re: FYI, Marilou Quintana BSN, RN runs a 7-week review for international nurses in preparation for NCLEX. She provided an outline to the Board of this extensive program.

August 9, 2006 – Email from Betty Burns, NCCNET Re: FYI, (APN, C Information) NCC Certification Exam Changes As of 1/1/07 NCC will only accept masters or post masters preparation for applicants of Women's Health and Neonatal Exams. Certificate Programs will no longer be acceptable. In addition, the educational programs must be NLNAC or CCNE approved. FYI, Accreditation Renewal on-site visit waiver was received from St. Francis Medical Center School of Nursing

September 14, 2006 – Email from Silvia Pomponi, CGFNS Re: Philippine Nurses and June 2006 PRC Exam Sylvia Pomponi from CGFNS wants the answer to the following two questions: Do you require that a nurse be licensed in his/her country of education in order to apply for licensure as a registered nurse in your state? Have you considered how, or, will you process nurses who took the PRC licensing exam in the Philippines in June 2006. Mr. Hebert will respond to Ms. Pomponi as per the 9/19/06 Board Meeting

September 25, 2006 – Fax from Denise Tate, EdD, RN, CTN, APN, C, Interim Associate Dean of Nursing, St. Peters College Re: FYI, Notification that Dr. Marylou Yam Associate Dean of Nursing has left the nursing department at Saint Peter's College. Dr. Tate has been the Interim Dean as of July 1, 2006.

(Pass Around Materials) a. NCSBN Research Brief Vol. 24 July 2006 Re: FYI, A survey was conducted of 7,497 nurse graduates. Based on the survey the participants felt that they could have been better prepared regarding providing care and administering medications to groups of patients, delegation and supervising others and to know when to call the MD.

b. Union County College submitted the completed school student handbook (during the site visit the Committee reviewed the final draft and requested a copy when it came back from the printer.)

c. New Jersey Nursing Students, Inc. (NJNS) 2007 Convention Receipt of the invitation will be acknowledged, Board representatives will not be exhibitors at the event.

d. Consolidated Learning Services Nurse Refresher Course from Virginia provided extensive information regarding their Nurse Refresher Course. The didactic portion of the refresher course is offered online. The clinical portion is via a preceptor which, is arranged in the applicant's home state. This information will be added to the list of refresher courses provided to those who need to take this type of course for reinstatement.

NLN Nursing Data Review Academic Year 2004-2005 Re: FYI, Provided nursing education statistics regarding the different types of nursing Programs.

f. NLN A Guide to State Approved Schools of Nursing 2006 LPN/LVN & RN Re: FYI, Provided information regarding nursing programs in the United States.

Renewal of Accreditation Review

a. Trinitas School of Nursing

The Committee reviewed the submissions from Trinitas School of Nursing and makes the following recommendation:

After discussion the Board, upon a motion made by Leo-Felix Jurado and duly seconded by Constance Wilson, voted to grant renewal of accreditation for Trinitas School of Nursing for a period of eight (8) years. The motion carried.

b. Passaic County Community College

This school's submissions will be reviewed at the next available Committee meeting.

Helene Fuld School of Nursing

This school's submissions will be reviewed at the next available Committee meeting.

Discussion Items

a. Preceptor Regulations Presently, there are no regulations regarding preceptors for nursing students in the clinical areas. The Committee requested staff to obtain information about regulations regarding preceptors in other states for further Committee discussion at a future meeting.

New Deans and Directors Orientation The Committee decided that this orientation will be held on October 24, 2006 at 2:30 p.m.

c. Accreditation Certificates At this time the Board only issues accreditation certificates to Registered Nursing Programs.

After discussion the Board, upon a motion made by Leo-Felix Jurado and duly seconded by Constance Wilson, voted that similar certificates should issued to Licensed Practical Nursing Programs also. The motion carried.

Olga Bradford will explore the appropriate wording for the certificates that will be issued to Licensed Practical Nursing Programs.

Leo-Felix Jurado reported: Session II of the September 26, 2006 Meeting Report

Correspondence:

a. September 11, 2006 – Fax from Anne E. McSoley, Vice President of Operations, The Center for Allied Health & Nursing Education Re: Notification that the Center for Allied Health & Nursing Education is in the process of planning for the opening of a second campus to be located in the Camden area. The School will be known as The Center for Allied Health & Nursing Education of Southern New Jersey.

After discussion the Board, upon a motion made by Leo-Felix Jurado and duly seconded by Constance Wilson, voted that since the Center for Allied Health & Nursing Education has received full accreditation, the school may open another site in New Jersey. The school must utilize the same curriculum as the Hackensack site. In addition, the Board prior to the opening of the site must complete a favorable site visit. Finally, the school's new site is to have approval from the Department of Labor and Workforce Development. The motion carried.

August 9 and 22, 2006 – Letter from Micro Tech Training Institute Students, Edwid Idemudia, LPN and Angela Hall, LPN Re: FYI, Informing the Board of their excellent education and experiences at Micro Tech Training Center.

September 7, 2006 – Letter from Anthony J. Buffalano, JD, LLM, School Director, Micro Tech Training Center
Re: FYI, Informing the Board of the resignations of Anunciacion Lipat, Director of Nursing and Sylvia Edge,
Consultant

September 22, 2006 Letter from Michael A. Cifelli, Attorney at Law. The letter and enclosures provided the final accounting of all the students from MicroTech. The Committee has reviewed the submissions from MicroTech and finds that all of the students from the Licensed Practical Nursing Program have been accounted for.

After discussion the Board, upon a motion made by Leo-Felix Jurado and duly seconded by Patricia Ann Murphy, voted that since MicroTech has complied with N.J.A.C. 13:37-1.3 (e) that the Licensed Practical Nursing Program lose its provisional accreditation. The motion carried.

New Program Application (Appearances) Universal Training Institute – Part I PN Program

The Committee met with representatives from this program. The materials submitted by Universal Training Institute require extensive revision. The school was instructed to submit a new application.

New Jersey City University – Part II RN Program

The Committee met with representatives from this program. A site visit is planned for October 31, 2006. Mr. Jurado, Chairperson, of the Education Committee and Carol Onajide, Education Program Development Specialist II will be visiting.

Initial Accreditation Self Study Report Reviews

Best Care Training Institute

The Committee reviewed the revised self-study submission and a site visit was made on October 12, 2006 by Dr. Torres, member of the Education Committee and Carol Onajide, Education Program Development Specialist II. Best Care would like to open a weekend program. A request was submitted prior to obtaining accreditation. The request was denied at that time until the school obtained accreditation.

After discussion the Board, upon a motion made by Leo-Felix Jurado and duly seconded by Irma Lupia, voted to approve that Best Care has met the requirements for accreditation pursuant to N.J.A.C. 13:37-1.3. Therefore the Board voted to grant accreditation for the Best Care Training Institute Practical Nursing Program. The motion carried.

After discussion the Board, upon a motion made by Leo-Felix Jurado and duly seconded by Constance Wilson, voted that Best Care Training Institute be allowed to begin a weekend program with the same curriculum as the present practical nursing program. The motion carried.

New Community Corporation The revised submission is due in October.

After discussion the Board, upon a motion made by Ronald H. Carr and duly seconded by Constance Wilson, voted to approve Sessions I and II of the Education Committee Report of September 26, 2006. The motion carried.

3. PRACTICE COMMITTEE:

Patricia Ann Murphy Reported: August 15, 2006, e-mail from Josephine Sienkiewicz, RN, MSN, Director of Education and Clinical Practice, Home Care Association of NJ, Inc., regarding RNs carrying influenza/pneumonia vaccine to administer to patients.

After discussion the Board, upon a motion made by Patricia Ann Murphy and duly seconded by Constance Wilson, voted to approve that Home Care Nurses may carry and administer influenza/pneumonia vaccine. The

Board also directed that a letter be sent to the Board of Pharmacy and the Board of Medical Examiners informing them of the same. The motion carried.

Letter from D. Vincent Penry, RN, NP-C, MS, VP of Clinical Operations-NP Care, LLC regarding plans to establish a “house staff” type of medical care model. They are seeking clarification from the Board. Carol Onajide has drafted a response for Board approval.

After discussion the Board, upon a motion made by Patricia Ann Murphy and duly seconded by Irma Lupia, voted to approve the response to D. Vincent Penry. The motion carried.

4. NOMINATION COMMITTEE:

Virginia McKenney Reported:

The work of the Nomination Committee is to select Board members for the positions of Board President and Secretary/Treasurer. The elections take place once a year and the Committee meets to discuss their recommendations for Board approval.

At the end of year each Committee makes a recommendation to the Board to either have the Board members remain the elected positions or Committee recommends other Board members to fill the positions.

Due to personal and business obligations Nelson Tuazon has decided to step down as Board President at the end of year or until the Committee recommends another Board member as president.

The Nomination Committee has recommended Leo-Felix Jurado as Board President and Noreen D’Angelo to continue on as Secretary/Treasurer. The Committee will make the formal recommendations in December 2006.

After discussion the Board, upon a motion made by Ronald H. Carr and duly seconded by Irma Lupia, voted to approve the report of the Nomination Committee. The motion carried.

OPEN FORUM:

Nelson Tuazon asked the public to share with the Board of Nursing any concerns, issues or questions:

Linda DeLamar, President, New Jersey Association of Nurse Anesthetists commented about receiving a copy of the draft advance practice nurse regulations. Ms. DeLamar also commented on whether nurses with MS Degrees in health related fields would be accepted to be grandfathered in as advanced practice nurses.

The Board, upon a motion made by Virginia McKenney and duly seconded by Leo-Felix Jurado, voted to go into closed session. The motion carried.

ADJOURNMENT:

On October 17, 2006, the Regular Open Business Meeting was adjourned at 1:10 p.m. The next Regular Open Business Meeting will be held on November 21, 2006.

After discussion the Board, upon a motion made by Constance Wilson and duly seconded by Leo-Felix Jurado, voted to adjourn the regular Board meeting of October 17, 2006 at 1:10 p.m. The motion carried.

Respectfully Submitted,

Noreen D’Angelo
Board Secretary/Treasurer