

**NEW JERSEY STATE BOARD OF NURSING
MINUTES
OPEN BUSINESS MEETING
NOVEMBER 20, 2007**

A meeting of the New Jersey State Board of Nursing was held on November 20, 2007 in the Morris Conference Room, 6th Floor, 124 Halsey Street, Newark, New Jersey. Leo-Felix Jurado, Board President, called the meeting to order at 9:20 a.m.

ROLL CALL

BOARD MEMBERS PRESENT:

Noreen D'Angelo Virginia McKenney
Marietta Cahill Patricia Ann Murphy
Avery Hart Karen Rodriguez
Leo-Felix Jurado Sara Torres
Irma Bojazi Constance Wilson

ALSO PRESENT:

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

BOARD MEMBER(S) EXCUSED 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 27, 2006. A schedule of all 2007 Regular Open Board Meetings to be held during 2007 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 November 20, 2007: Reading and Approval with amendments:

Add under correspondence: 4) Article from the American Nurses Association – Funding for Nursing Workforce Development. Add under committee reports: 4) Legislation Committee.

After discussion the Board, upon a motion made by Patricia Mursphy and duly seconded by Constance Wilson, voted to approve the Regular Open Board Meeting Agenda of November 20, 2007 as amended. The motion carried.

MINUTES:

Open Business Meeting Minutes of October 16, 2007: Reading and Approval with amendments:

Page 8: #3 – The motion should state that the Board voted to approve Part I of the preliminary application for the establishment of a Generic Master of Science in Nursing Program; Seton Hall University School of Nursing is granted permission to pursue development of Part II of the application process. Page 9: #3a – Should state: Letters dated July 2, 2007, and September 21, 2007 from Donna Massey, Education Officer of the Emergency Nurses Association.

After discussion the Board, upon a motion made by Noreen D'Angelo and duly seconded by Irma Bojazi, voted to approve the Regular Open Board Meeting Minutes of October 16, 2007 as amended. The motion carried.

REPORT OF THE BOARD PRESIDENT – LEO-FELIX JURADO:

Leo-Felix Jurado reported that:

The First World Health Professions Conference on Regulation will be held on May 15, 2008 in Geneva, Switzerland. "The Role and Future of Health Professionals Regulations.

Nursing News – "Kaiser Seeks Higher Level of Acute Care". Kaiser Permanente is hoping to improve the quality of care in the Northern California hospitals by changing the educational requirements of its nursing staff. The recent decision will remove all licensed vocational nurses (LVNs) from the HMO's acute hospitals and will replace them with registered nurses (RNs). Also available in the training programs for the nurses to upgrade their status to RNs or to go into other specialties including obstetric technicians or respiratory care.

Email dated November 14, 2007 from APN-FORUM/NJ regarding an AANP SmartBrief. - Mayo Clinic opens a small-scale medical clinic. The Albert Lea, Minnesota Mall is the site of a new Mayo Clinic project. A single nurse practitioner administers care and advice to all comers, treating common ailments and referring larger problems to full-scale medical facilities in the area.

Reuters Health – Disease Management Program Improves Care of Heart Disease Patients. Specialist nurse-led disease management programs for people with coronary heart disease and heart failure result in improved care and quality of life. Dr. Kamiesh Khunti from the University of Leicester, UK stated that patients with coronary heart disease showed significant improvements in quality of life evaluations after 12 months of participation in disease management compared with patients in the control group.

Health Day – "FDA Mulls Direct Pharmacist-to-Patient Drug Sales". FDA is meeting to discuss whether or not pharmacists might someday bypass doctors and directly provide consumers with certain drugs that now require a prescription.

Forbes – "U.S. Sets Record in Sexual Disease Cases". According to Federal Health Officials, more than 1 million cases of chlamydia were reported in the United States last year, the most ever reported for a sexually transmitted disease.

After discussion the Board, upon a motion made by Irma Bojazi and duly seconded by Constance Wilson, voted to approve the report of the Board President. The motion carried.

REPORT OF THE EXECUTIVE DIRECTOR – GEORGE J. HEBERT:

George J. Hebert as follows:

Renewal – CHHAs are in the final stages of renewal, 22,000 of 30,000 CHHAs have renewed. December 3, 2007 is the late period for renewal, which would require additional fees.

Attendance at meetings. The Office of the Attorney General (OAG) continues to look critically at requests by Board members or staff for attendance at any meetings outside of the Board office. The OAG has prohibited attendance at meetings due to the budget and staffing issues. The Board directed that a letter be sent to the OAG providing more information about the importance of attendance at the meetings.

Legislative Bill 4540 regarding CRNAs will be discussed during the report of the Legislation Committee.

The Alternative to Discipline Committee has referred 22 nurses to RAMP 150 nurses that have been disciplined by the Board were referred to RAMP and 41 nurses have sent reports to RAMP. George J. Hebert received a correspondence from William Ditto, regarding family members being able to care for loved ones. Mr. Ditto questioned whether or not the individual needs to be certified by the Board of Nursing, through an agency and supervised by a RN.

After discussion, the Board upon a motion made by Noreen D'Angelo and duly seconded by Irma Bojazi, voted to approve the report of the Executive Director. The motion carried.

CORRESPONDENCE:

October 2007 – An Article in Newsletter from the Institute for Nursing: “Practical Approach to Professional Nurse Education The Community Career Ladder”, written by Connie Wilson. LPN. October 24, 2007 – letter from Carol Hartigan, MA, RN, Certification Programs Strategist, AACN Certification Corporation requesting approval from the Board as an authorized certification body acceptable to the Board for the certification of the Acute Care Nurse Practitioner (ACNP). Supreme Court of the State of Montana moved in favor of the Montana Board of Nursing and the Montana Association of Nurse Anesthetists relating to the practice of Certified Registered Nurse Anesthetists (CRNAs) in Montana. Article from the American Nurses Association – “Funding for Nursing Workforce Development”- ANA is working to convince Congress to significantly increase funding for the Nursing Workforce Development programs administered by the Health Resources and Services Administration (HRSA) under Title VIII of the Public Health Service Act.

COMMITTEE REPORTS:

1. EDUCATION COMMITTEE: - Sara Torres, Chairman

Sara Torres reported: Session I of the October 30, 2007 Meeting Report:

1. Correspondence:

September 2007 - Letter from Mary G. Harding, Secretary, Licensed Practical Nursing Program, Passaic County Technical Institute.

RE: Change of address as of December 16, 2006, to 197 Hamburg Tpk, Wayne, NJ.

b. October 08, 2007 – Letter from Steven B. Litvack, President, The Center for Allied Health Nursing Education. RE: FYI: Program was granted full accreditation by The Commission of the Council on Occupational Education on September 16, 2007.

Staff will send a congratulatory letter.

c. DI Associates:

RE: FYI: Boot Camp for Nurse Educators to be held February 1- 4, 2008

Contact information: deanneblach@aol.com

ERI

RE: FYI: Annual 3-Day ERI Conference on Teaching & Learning Strategies in the Nursing Classroom and Clinical Settings was held October 7- 9, 2007. Contact information: www.eriworld.com

Meds Publishing

RE: FYI: Innovations for Nursing Education.

Contact information: www.medspub.com

NLN Faculty Development Bulletin

RE: Calendar of events. Contact information: www.nln.org

Health Information Technology Scholars Program

RE: FYI: The Schools of Nursing from the University of Kansas, University of Colorado, and Indiana University partnered with the NLN and sponsored by HRSA have designed a project for faculty development which will include 30 to 50 faculty per year for 5 years. Contact information: www.hits-colab.org

Johnson & Johnson: Image of Nursing

RE: FYI: The Campaign For Nursing's Future. Contact information: www.discovernursing.com

Brochures are available and will be distributed at the New Deans and Directors Orientation.

2. Discussion:

New Deans and Directors Orientation

- Scheduled for November 27, 2007 at 2:30 p.m. Brochure and power point presentation were reviewed by the Committee Stakeholders have been notified by email and staff will send out invitation letters during the week of November 5, 2007

Third Quarter NCLEX Results were reviewed by the Committee.

Concerns regarding LPN education in NJ

The Education Committee discussed concerns regarding private vocational practical nursing programs. Presently, there are 20 practical nursing programs under the jurisdiction of the Board of Nursing. Applications are still being submitted and programs have been scheduled for reviews through Spring 2008. Some of the concerns include the following: The Board has received ongoing complaints alleging clinical placement problems, unqualified faculty, grading concerns, large numbers of students, and high attrition.

NCLEX-PN failures

Litigation regarding probation of SNJTS

- Incarceration of a school's owner for fraud

The Board proposed a regulation to limit the number of students to 40 during provisional accreditation. This would prevent schools from taking in large numbers of students when they are first opening. The school would then have smaller groups of students to provide appropriate education and clinical placement. Along with the above, another concern has evolved regarding mobility of these students to become RNs (Refer to the article written by Constance Wilson, in the Institute for Nursing as disseminated). The private vocational schools are not college based. Students generally do not receive basic skills testing or basic skill courses. In addition they usually do not receive college credit for general education courses. Discussion ensued regarding.

A moratorium on new private vocational practical nursing programs Limiting the number of practical nursing schools that the Board accredits Increasing the application fee to establish a nursing program Requiring all new practical nursing programs to be college based. (With the stipulations that this would not effect schools under the jurisdiction of the Board of Education or schools that have already received provisional accreditation.)

After discussion, the Board upon a motion made by Noreen D'Angelo and duly seconded by Patricia Murphy, voted to impose a moratorium on applications to establish private vocational practical nursing programs in New Jersey. This moratorium will remain in effect until regulation is adopted which will require private practical nursing programs to have an affiliation with a college or university providing basic skills testing, basic skills courses and general education courses (sciences and social sciences) which will assist articulation to professional nursing education. The motion carried.

3. Re-Accreditation Materials

Passaic County Community College (Additional Submissions)

The Committee reviewed the additional submissions from Passaic County Community College. Based on its review the Committee will have staff notify the college to include more specific timeframes in the Systematic Plan of Evaluation. After discussion, the Board upon a motion made by Sara Torres and duly seconded by Constance, voted to approve renewal of accreditation for 8 years for Passaic County Community College. The motion carried.

Holy Name RN and LPN Self-Study Reports

The Committee reviewed the submissions from the RN Diploma and the LPN programs. Based on its review, the Committee requested additional revision and clarification.

4. Request for Curriculum Change

a. October 04, 2007 – Letter from Rose Saunders, EdD, RN, CNE, Dean, Helene Fuld, School of Nursing. RE: Request approval for revisions in the conceptual framework change in program outcomes, decrease in program length, and change in the number of credits required for graduation.

After discussion, the Board upon a motion made by Sara Torres and duly seconded by Constance Wilson, voted to approve the Helene Fuld School of Nursing Curriculum Change pursuant to N.J.A.C. 13:37-1.16. The motion carried.

Sara Torres reported: Session II of the October 30, 2007 Meeting Report:

Correspondence:

a. September 04, 2007 – Letter from Beth Evans, MSN, BSN, Prism Career Institute RE: FYI: Letter of resignation as Director of the Practical Nursing Program

b. September 20, 2007 – Letter from Valerie D. Shaw, MSN, MBA, RN, Program Administrator, Allcare Health Institute, Inc.
RE: FYI: Letter of Appreciation to the New Jersey Board of Nursing

c. September 21, 2007 – Letter from Dr. Yemi Oladimeji, President, America Health Care, Inc.
RE: FYI: Resignation of Nancy Bohnczyk as Program Director

d. September 27, 2007 – Letter from Phoebe C. Andes, MA, RN, Director of Nursing Education, Pinelands School of Practical Nursing & Allied Health, Inc.
RE: FYI: School's physical address is 11 History Lane, Jackson, NJ 08527

e. October 08, 2007 – Letter from Paul J. Tortolani, Vice President, Education, Prism Education Group, Inc.
RE: FYI: Ms. Mary Cooper is the new Practical Nursing Program Director.

October 15, 2007 – Letter from Dr. Yemi Oladimeji, President, America Health Care, Inc.
RE: FYI: New director of Nursing, Janine D. Malave, MSN, MA, RN, LCCE, APNC.

Self-Study Report

a. Essex County College Practical Nursing Program

The Education Committee reviewed the self-study report submitted by Essex County College. The college was notified that additional information is required. In addition a site visit will be planned after receipt and review of

the above materials.

New Program Application (Appearance)

a. Star Technical Institute

The Education Committee reviewed Star Technical Institute's Part I application submission and met with representatives from the program. The school plans to open a practical nursing program in Strafford, New Jersey. Based on its review, the Committee is awaiting further revision and clarification.

New Jersey City University Affiliation Agreement (follow-up)

The Education Committee reviewed the affiliation agreement. Staff contacted the program regarding further revision pursuant to N.J.A.C. 13:37-1.10.

Curriculum Change

The Richard Stockton College of New Jersey

The Committee reviewed the request from The Richard Stockton College of New Jersey regarding a sequencing change in the curriculum, to move Psychosocial Nursing from the fall semester to the spring semester of the junior year.

After discussion, the Board upon a motion made by Sara Torres and duly seconded by Irma Bojazi, voted to approve the Richard Stockton College of New Jersey Curriculum change. The motion carried.

After discussion the Board, upon a motion made by Noreen D'Angelo and duly seconded by Constance Wilson, voted to approve Sessions I and II of the Education Committee Report of October 30, 2007. The motion carried.

2. REGULATION COMMITTEE:

Irma Bojazi reported on:

1. Committee Regulations Flow Sheet:

The Flow Sheet was reviewed and approved after the Committee had a discussion concerning some issues not being completed within a year's timeframe. The Committee requested that Mr. Hebert send an email to the Department of Law to clarify the status of proposed regulations from the Board of Nursing to the Office of the Attorney General and to the Office of Administrative Law for promulgation in the New Jersey Register.

2. Review of Public Comments for Amendments to N.J.A.C. 13:37-5.5, 9.2, 9.4 and 9.5, Forensic Nurses-Certified Sexual Assault:

The Committee reviewed and discussed comments received from the public and proposed responses to the comments regarding amendments to N.J.A.C. 13:37-5.5, 9.2, 9.4 and 9.5. Dolores Blackburn, Deputy Attorney General for the Criminal Justice Bureau, attended the meeting to share her comments with the Committee.

Charles Manning will present a summary of the public's comments and responses to the comments regarding amendments to N.J.A.C. 13:37-5.5, 9.2, 9.4 and 9.5, and recommend adoption at the next available Regular Board Meeting.

3. Review of Public Comments for Amendments to N.J.A.C. 13:37-2.2 and 4.1, Eligibility Requirements for Licensure by Endorsement:

The Committee reviewed and discussed comments received from the public regarding amendments to N.J.A.C. 13:37-2.2 and 4.1, Eligibility Requirements for Licensure by Endorsement. Charles Manning, will present a

summary of the public's comments recommending adoption of N.J.A.C. 13:37-2.2 and 4.1 at the next available Regular Board Meeting.

4. Correspondence:

a. FYI, February 2007, Article from Clinical Nursing Research concerning an observational study comparing the administration of medications by RNs, LPNs and medication assistants conducted by Jill Scott-Cawiezell, Phd, et al.

b. October 21, 2007, email from Lois O'Sullivan, inquiring about the CEU requirements for RNs in New Jersey. Mrs. O'Sullivan is seeking Board approval for a waiver of N.J.A.C. 13:37-5.3 Continuing Education as it relates to certification in advanced life support courses.

After discussion, the Board upon a motion made by Irma Bojazi and duly seconded by Noreen D'Angelo, voted that N.J.A.C. 13:37-5.3 (d)1 not be waived, and the Board will carefully consider all Continuing Education Programs completed by nurses wherein the organizations offering the Continuing Education Programs applied for and obtained accreditation from the National Commission for Certifying Agencies by December 31, 2007. The motion carried.

After discussion, the Board upon a motion made by Constance Wilson and duly seconded by Noreen D'Angelo, voted to approve the October 30, 2007 Regulation Committee Report. The motion carried.

3. NOMINATING COMMITTEE:

Virginia McKenney reported:

The Nominating Committee met and discussed the election of a new Board President and Secretary/Treasurer.

The Nominating Committee has made the following recommendations:

Leo-Felix Jurado – Board President
Patricia Murphy – Secretary/Treasurer

A hand voted was conducted and it was concluded that Leo-Felix Jurado was re-elected as Board President and Patricia Murphy was elected as Secretary/Treasurer

After discussion, the Board upon a motion made by Noreen D'Angelo and duly seconded by Virginia McKenney, voted to approve the report of the Nominating Committee. The motion carried.

4. LEGISLATION COMMITTEE:

The Committee reviewed Assembly Bill 4540, which requires physician supervision of nurse anesthetists. Assembly Bill 4540 is similar to Assembly Bill 4445.

The Committee responded to Assembly Bill 4445 and voted to ratify the decision made on that bill to include in the responses to Assembly 4540.

After discussion, the Board upon a motion made by Patricia Murphy and duly seconded by Marietta Cahill, voted to ratify the decision of the Board to Assembly Bill 4540. The motion carried.

NEW BUSINESS:

Charles Manning discussed the following issues:

1. N.J.A.C. 13:37-5.5, 9.2, 9.4 and 9.5 FN-CSA pediatric sexual assault examinations adoption

The Board reviewed the comments and suggested responses regarding proposed amendments to N.J.A.C. 13:37-5.5, 9.2, 9.4 and 9.5 regarding FN-CSA pediatric sexual assault examinations and FN-CSA education program curriculum.

After discussion, the Board upon a motion made by Noreen D'Angelo and duly seconded by Patricia Murphy, voted to approve the suggested responses and voted to adopt the proposed amendments. The motion carried.

2. N.J.A.C. 13:37-2.2 and 4.1 LPNs who complete a RN education program adoption

The Board reviewed comments and suggested responses regarding proposed amendments to N.J.A.C. 13:37-2.2 and 4.1 regarding LPN applicants who completed RN education programs.

After discussion, the Board upon a motion made by Constance Wilson and duly seconded by Sara Torres, voted to approve the suggested responses and voted to adopt the proposed amendments. The motion carried.

3. N.J.A.C. 13:37-16.4, 16.7 and 13:37-16.11 Massage, bodywork and somatic therapy education programs proposal

After discussion, the Board upon a motion made by Karen Rodriguez and duly seconded by Marietta Cahill, voted to approve propose amendments to N.J.A.C. 13:37-16.4, 16.7 and 16.11 which recognize that the Department of Labor and Workforce Development has the authority to approve vocational schools that offer massage, bodywork and somatic therapy education programs. The motion carried.

. ANNOUNCEMENTS:

1. Effective December 7, 2007, Sara Torres has resigned her position as Board member due to relocating to Maryland.
2. Board Member Avery Hart is the author of Moving Beyond ADD.

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 pending legislation for massage therapy that would require people to be licensed to practice massage therapy in the State. Ms. Torre provided information on a hearing at the BOME and that physicians would receive compensation for the work on the Advisory Committee.

Bernard Gerard, Vice President, Health Professional and Allied Employees of New Jersey, commented on the collaborative nursing forum and wants to write a letter to the Division of Consumer Affairs in support of the Board of Nursing members attending outside meeting directly relating to nursing interests.

Linda DeLamar, President, New Jersey Association of Nurse Anesthetists, thanked the Board for writing the letter to the Division of Consumer Affairs. Ms. DeLamar commented on the Montana ruling regarding CRNAs.

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

ADJOURNMENT:

On November 20, 2007 the Regular Open Board Meeting was adjourned at 1:10 p.m. The next Open Business Meeting will be held on January 15, 2008.

After discussion the Board, upon a motion made by Sara Torres and duly seconded Irma Bojazi, voted to adjourn the Regular Open Board meeting of November 20, 2007 at 1:10 p.m. The motion carried.

Respectfully Submitted,

Noreen D'Angelo
Board Secretary/Treasurer