

The Florida
Board of Nursing

Long-Range Policy Planning

Friday ~ May 23, 2014
Bohemian Hotel - Celebration
700 Bloom Street
Celebration, FL 34747



Lavigne Ann Kirkpatrick, BS, RN
Chair

Linda Horton, PhD, EdD, MSN, RN, JD
Vice Chair

Joe Baker, Jr.
Executive Director

Florida Board of Nursing Meeting Draft Minutes
May 23, 2014
Celebration, FL

Board Members:

Lavigne Ann Kirkpatrick, BS, RN - *Chair*
Linda Horton, PhD, EdD, MSN, RN, JD - *Vice-Chair*
Ann-Lynn Denker, PhD, ARNP
Jessie Colin, PhD, RN, FRE, FAAN
Leonard Connors, Esq., Consumer
Cathy Oles Gordon, LPN, BPS
Jody Bryant Newman, EdD, EdS Consumer
Kathryn L. Whitson, MSN, RN
JoAnn Trybulski, PhD, ARNP, DPNAP
Vacant LPN Position
Vacant LPN Position
Vacant RN Position
Vacant Consumer Position

Attorneys:

Lee Ann Gustafson, Senior Assistant Attorney General
Rachel Clark, Assistant Attorney General
Yolonda Green, Section Manager, Assistant General Counsel

Board Staff:

Joe Baker, Jr., Executive Director
William Spooner, Program Operations Administrator
Sarah Starling, Program Operations Administrator
Sherri Sutton-Johnson, MSN, RN, Director of Nursing Education
Janet Doke, BSN, RN, Nursing Education Consultant

Friday, May 23, 2014 at 8:30 am

Present:

Lavigne Ann Kirkpatrick, BS, RN - *Chair*
Jessie Colin, PhD, RN, FRE, FAAN
Leonard Connors, Esq., Consumer
Cathy Oles Gordon, LPN, BPS
Kathryn L. Whitson, MSN, RN
JoAnn Trybulski, PhD, ARNP, DPNAP
Jody Bryant Newman, EdD, EdS Consumer (11:02 am)

Absent:

Ann-Lynn Denker, PhD, ARNP- Unexcused
Linda Horton, PhD, EdD, MSN, RN, JD - *Vice-Chair*- Unexcused

Attorneys:

Lee Ann Gustafson, Senior Assistant Attorney General
Rachel Clark, Assistant Attorney General
Yolonda Green, Section Manager, Assistant General Counsel

Staff:

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Sherri Sutton-Johnson, MSN, RN, Director of Nursing Education
Janet Doke, BSN, RN, Nursing Education Consultant

A. Opening

Call to Order

Ms. Kirkpatrick, the Chair, called the meeting to order at 8:43 am.

B. Agenda Items to be Discussed

1. **2014 Legislative Session**- SB 1036- Nursing Education Bill- sponsored by Senator Grimsley. The Bill is expected to go into effect on July1, 2014.

- a. **464.003, F.S. Definitions**- Section 1 changes the definitions of clinical training and of practice of nursing. Ms. Sutton-Johnson discussed meeting with the Commission of Independent Education and changes to LPN being able to teach. Ms. Sutton-Johnson asked the Board about their interpretation of the change of in the amount of simulation that it is to be used. She also informed the Board that DOE will have to create a new LPN teaching certification. Discussion ensued. Dr. Colin asked about how LPNs would be trained to teach others. Ms. Gordon commented that she thinks it's a good opportunity and that she believes a lot of LPNs will take advantage of this change.

Dr. Colin stated that she did not believe that any one component of a program should be completely through simulation. Ms. Clark stated that the Board had the authority to interpret what it means, but that it did not have the authority to rule make. Dr. Trybulski echoed what Dr. Colin said, and said she would prefer that the 50% be per category. Dr. Colin agreed. Dr. Trybulski said the actual goal of simulation was to introduce the subject, in order to prepare them to take the next step to perform those same functions on patients or the public. Discussion ensued. It was decided that the answer to give the schools is that no more than

50% of any category can be simulation.

Mr. Baker discussed line 64 of the bill requiring a prep course for any student graduating from a Florida Board of Nursing approved program who does not take the NCLEX within 6 months of graduation. Mr. Connors asked about how many people would require this course. Mr. Baker indicated that based on reports ran that it was estimated at about 10% of applicants. He let the Board know that they will need to set up guidelines for what the prep course must include. Ms. Kirkpatrick said that she did not believe that the Board should pick certain prep courses; she said that she thinks that the Board should only establish guidelines for what the program should include. Ms. Kirkpatrick asked the Education Committee to come up with the guidelines. Dr. Colin, Chair of the Education Committee, agreed that they could do that. Ms. Sutton-Johnson asked if the 6 programs that already have clinical training outside the U.S. need to cease that clinical training. Ms. Gustafson advised that they Board could not discuss that without those programs being noticed.

Mr. Baker discussed that licensees who have a national certification from one of two certifying bodies will now be able to have all their CEs waived. Ms. Whitson asked if that included the required courses. She was informed that it did.

Mr. Baker informed the Board that they will now have the option to extend the probation period of programs.

Mr. Baker also discussed transfer students from terminated programs who apply more than 12 credit hours will no longer be included in the new programs passage rates. Mr. Baker informed the Board that staff will need to have a follow-up call with NCSBN to discuss this.

The Board discussed the requirement for RN programs to be accredited within the next 5 years.

- b. 464.008, F.S. Licensure by Examination
- c. 464.019, F.S. Approval of Nursing Education Programs
- d. Rule 64B9-15.005, F.A.C. Standards for Certified Nursing Assistant Training Programs
- e. 2014 MQA Legislative Summary- Rule text was handed out this morning. C.N.A. Council needs to discuss first. A conference call will be scheduled for the C.N.A. Council to discuss.

Mr. Baker informed the Board of Bill 7015- Military Veteran expedited application process that will go into effect on July 1, 2014. He also briefed the Board on the current information available on the bill on Low-THC marijuana.

2.2015 Legislative Session

* Board Proposals

- a. Board authority to review endorsement applicant education with NCLEX passage.

Ms. Kirkpatrick discussed the history behind this subject. She expressed that this was an important topic to her. Discussion ensued. Mr. Baker discussed that board staff have difficulty verifying employment for applicants that apply under subsection c of this statute.

Dr. Colin made a motion to remove subsection c and keep the prior recommendation about verifying endorsement applicant education equivalency. Motion passed unanimously.

3. Board Counsel

- a. Annual Regulatory Plan for OFAAR

Ms. Gustafson suggested that the Board add the following rules to the annual regulatory plan: rule 3.013, 5.002, 5.004, 5.006, 8.012 and 14.001 for the coming year. Ms. Kirkpatrick made a motion to approve the recommendation. Motion passed unanimously.

Ms. Clark suggested that the Board add the following rules to the annual regulatory plan: 15.002, 15.005, 15.006, 15.007, 15.008 and the disciplinary guidelines. Ms. Kirkpatrick made a motion to approve the recommendation. Motion passed unanimously.

DOAH, Ms. Gustafson wanted to know if an applicant is disputing material facts, does the Board want all of those cases to be sent to DOAH. Dr. Newman said that Ms. Gustafson should use her discretion. Ms. Gordon agreed. Discussion ensued. The Board agreed.

4. Review of Rules in 64B9, F.A.C.

a. Rule 64B9-5.004 Procedure for Approval of Attendance at Continuing Education Courses- Ms. Sutton-Johnson explained the staff's historical view of this rule 1(c) and asked for clarification as to how the Board intended the rule to be interpreted. Ms. Gustafson asked the Board if they wanted to give credit for CEs approved by other state boards. The Board replied that they would. Ms. Gustafson will work on updating the rule. Dr. Colin asked about why the Board staff would not accept a CE from ICN. Dr. Colin asked that when the rule is amended to also include international.

b. Rule 64B8-9.0141 Standards for Telemedicine Practice- Ms. Gustafson informed that the Board does not have statutory authority to have such a rule.

5. Review of Health History and Criminal Conviction Matrix for Initial Applications-

Criminal History Matrix- Ms. Kirkpatrick made the recommendation to accept the matrix as prepared with modification of category 5 to require board review. Dr. Colin made a motion to remove the physical impairment question from the application. The motion was seconded and passed with Mr. Connors in opposition.

Health History Matrix- Ms. Kirkpatrick made a motion to accept the Health History matrix as prepared requiring Category 3 to be separated into two separate categories. The first category should be for applicants with out-patient treatment with a diagnosis of a mental health disorder. In this category if the occurrence was 3 years or more prior to the submission of the application, staff may clear it. If it has been less than 3 years, the application must be presented to the Board. The second category should be for substance abuse or dependency. If it has been 5 years or more, staff may clear it. If it has been less than 5 years the application must be presented to the Board. The motion passed with Mr. Connors in opposition.

Dr. Trybulski made a motion to set the time frame for Category 4 as: 5 years or more, staff may clear, less than 5 years must be presented to the Board. Motion passed with Mr. Connors in opposition.

6. CNA Application Process and School Lists Revisions- Ms. Starling discussed the issue that is affecting Board staff. Discussion ensued. The Board decided that if applicants are known first time test takers that graduated from a program they will be counted.

7. Discussion of Officer Elections

Mr. Baker discussed officer elections and the meeting in which elections are held annually. A motion was made by Colin to hold elections in December. The motion passed unanimously.

8. Review of Statistical Data- Informational

- a. Board Office Workload
- b. MQA Annual Report 2012-2013
- c. MQA Quarterly Report 2013 Second Quarter
- d. MQA Long Range Policy Planning Report

9. Quarterly NCLEX Results- Informational
 - a. RN Florida Report 2014 First Quarter
 - b. LPN Florida Report 2014 First Quarter
 - c. RN All States Report 2014 First Quarter
 - d. LPN All States Report 2014 First Quarter

Ms. Sutton-Johnson discussed the quarterly education reports. These will be implemented on future board meeting agendas beginning in August for Board review.

10. Florida Board of Nursing Journal-
 - a. Georgia Nurse Quarterly

Mr. Baker discussed a company in Arkansas that will produce a newsletter at no cost to the Board. Due to the number of licensees in Florida the publication cannot be mailed to all licensees. He asked if the Board wanted to have a similar publication for Florida. The Board agreed that they would like to have one. Mr. Baker asked for a Board member to serve as an editor.

11. Prosecution Services Unit

Ms. Green gave an update. Ms. Green spoke about including digital signatures on probable cause panel memos.

Adjournment

The meeting adjourned at 12:27 pm

For more information regarding board meetings please visit:

<http://floridasnursing.gov/meeting-information/>

Or contact:

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