

The Florida

Board of Nursing

Motions to Vacate & Rule Workshop Draft Minutes

September 10, 2020

Meet Me #:

888-585-9008

Participation Code:

275-112-502



Deborah McKeen, CD-LPN, BS
Chair

Diana Orantes Forst, BA, RN
Vice Chair

Joe Baker, Jr.
Executive Director

Thursday, September 10, 2020 at 5:00 PM

Participants in these public meetings should be aware that these proceedings are being recorded and that an audio file of the meetings will be posted to the board's website.

Call to Order

The meeting was called to order at 5:03 PM

Roll Call

Board Members:

Deborah McKeen, CD-LPN, BS – Chair
Diana Orantes Forst BA, RN – Vice Chair
Kathryn L. Whitson, MSN, RN
Maggie Hansen, MHSc, RN
Derrick C. Glymph, DNAP, CRNA, APRN, COL, AN, USAR
Heather Baumwald, Consumer
Francine Paschall, MBA, DNP, RN, CENP

Absent:

Mary Julie Talmadge, DNP, APRN- excused
Jody Bryant Newman, EdD, EdS Consumer-unexcused

Attorneys:

Deborah Loucks, Senior Assistant Attorney General
John Fricke, Assistant Attorney General
Matthew Witters, Chief Legal Counsel

Board Staff:

Joe Baker, Jr., Executive Director
Nicole Benson, Program Operations Administrator
Sherri Sutton-Johnson, DrPH, MSN/Ed, RN, CCHW, Director of Nursing Education
Zoë McCook, Regulatory Specialist III

I. **Motions to Vacate – Cases related to repeal of Student Loan Defaults law
CNA**

**No Recused Member- A motion was made by Paschall to vacate the previous order.
Motion passed unanimously.**

1. Tracy L. Bray CNA 2017-14916
2. Ericka Chatman CNA 2017-21846
3. Shakira B. Felton CNA 2017-14927
4. Lamerchie Saint-Fort CNA 2017-16369
5. Dimitrice Saint Juste CNA 2017-17145
6. Jerimiah O. Lattimore CNA 2017-15249
7. Kimberly A. Rathburn CNA 2017-19534
8. Leslie Vaughn CNA 2017-17718
9. Carl Carr CNA 2017-17856

**Recused Member: Derrick Glymph- A motion was made by Paschall to vacate the
previous order. Motion passed unanimously.**

10. Annette Borden CNA 2017-17259
11. Septono R. Harris CNA 2017-16973
12. Carol Johnson CNA 2018-19482
13. Monica Keeny CNA 2017-15171
14. Katy E. Marchese CNA 2018-19518
15. Goddreas L. Smart CNA 2017-16686

**Recused Member: Kathryn Whitson- A motion was made by Paschall to vacate the
previous order. Motion passed unanimously.**

16. Dawn G. Campbell CNA 2017-19460
17. Marie Beatrice Louis CNA 2017-19218

**Recused Member: Heather Baumwald- A motion was made by Paschall to vacate the
previous order. Motion passed unanimously.**

18. Gerrisha A. Jenkins CNA 2017-15888
19. Rashunda Vaughn CNA 2017-15175

LPN, RN, and APRN

**No Recused Member- A motion was made by McKeen to vacate the previous order.
Motion passed unanimously.**

1. Nicholas P. Capobianco RN 2017-20866
2. Leanne Deslandes Delice RN 2017-17046
3. Ajgunwa A. Ekunkonye RN 2017-18799

Recused Member: Diana Orantes Forst- A motion was made by McKeen to vacate the previous order. Motion passed unanimously.

4. Jason Sands RN 2017-18025

Recused Member: Derrick Glymph- A motion was made by McKeen to vacate the previous order. Motion passed unanimously.

5. Fannie Mae Oden RN 2017-18781

6. Charity Bible RN 2017-18780

Recused Member: Kathryn Whitson- A motion was made by McKeen to vacate the previous order. Motion passed unanimously.

7. Stacie Anne Curtis RN 2017-15252

8. Cecelia Ann Gunsby LPN 2017-15241

9. John Wayne Hampton RN 2017-21666

10. Kelly M. Pfeiffer LPN 2017-15690

11. Linda A. Johnson Richardson LPN 2018-19497

12. Melissa Rose Ventre LPN 2017-15692

Recused Member: Heather Baumwald- A motion was made by McKeen to vacate the previous order. Motion passed unanimously.

13. David C. Curry APRN 2017-21414

14. Kelvin Lucain Johnson LPN 2017-14990

15. Franshemeka Sheral Wheeler LPN 2017-18784

Recused Member: Jody Bryant Newman- A motion was made by McKeen to vacate the previous order. Motion passed unanimously.

16. Barbara Matthews aka Barbara Padgett RN 2018-05714

17. Sandra Denise Mongeon RN 2017-17776

II. Rules Workshop

1. 64B9-14.0015, FAC- Delegated Tasks

Susan E. Anderson, Esq- Director of Assisted Living Public Policy representing Leading Age Florida offered concern that there are no limitations in reference to other statutes and rules. She offered that language be added to state that qualifications for delegation be met.

Philip Deviasi representing Private Care Association- asked to have nurse registries included in the rule. Board counsel advised that the statute authorizing this rulemaking does not include any reference to nurse registries.

Leslie Wurster representing Florida Department of Health School Nurse Program- requested clarity concerning home health aides working in a school setting. Mr. Baker explained that these rules do not relate to the school health setting and must be read in conjunction with the law implemented.

No action taken by the Board.

2. 64B9-15.002, FAC- Certified Nursing Assistant Authorized Duties

Susan E. Anderson, Esq- Director of Assisted Living Public Policy representing Leading Age Florida offered concern that delegation is specifically for CNA in home health care. She specifically asked for limiting language for expired medication and administration of medication.

A motion was made by McKeen to add the language “delegated to certified nursing assistants in a home health setting” to parenthesis R. The motion passed unanimously. A motion was made by McKeen to acknowledge that the proposed amendment would not have an adverse effect on small businesses or likely directly or indirectly increase regulatory costs to any entity, including government, in excess of \$200,000 in the aggregate in Florida within one year after the implementation of the rule. Motion passed unanimously. A motion was made by McKeen that a violation of this rule would not constitute a minor violation. Motion passed unanimously. A motion was made by McKeen that the proposed rule should not be subject to sunshine review. Motion passed unanimously.

3. 64B9-15.0025, FAC- CNA Medication Administration

Susan E. Anderson, Esq- Director of Assisted Living Public Policy representing Leading Age Florida asked for clarification on non-traditional education.

Philip Deviasi representing Private Care Association- asked for nurse registries to be included in the rule.

No action taken by the Board.

4. 64B9-15.0026, FAC- Medication Administration Outside the Scope of Practice of a CNA

Leslie Wurster representing Florida Department of Health School Nurse Program- expressed concern for CNA and home health aides in the schools are not referenced in the rule. Mr. Baker reiterated that these rules do not relate to the school health setting.

Susan E. Anderson, Esq- Director of Assisted Living Public Policy representing Leading Age Florida requested clarity on the language to specifically mention HHA.

A motion was made by Whitson to add language to the rule “within a home health agency”. The motion passed unanimously. A motion was made by McKeen to acknowledge that the proposed amendment would not have an adverse effect on small businesses or likely directly or indirectly increase regulatory costs to any entity, including government, in excess of \$200,000 in the aggregate in Florida within one year after the implementation of the rule.

Motion passed unanimously. A motion was made by McKeen that a violation of this rule would not constitute a minor violation. Motion passed unanimously. A motion was made by McKeen that the proposed rule should not be subject to sunshine review. Motion passed unanimously.

Paschall left the meeting at 6:15 PM

5. 64B9-15.005, FAC- Standards for Certified Nursing Assistant Training Programs
No discussion occurred.

1. Adjournment

The meeting adjourned at 6:28 PM