



OHIO BOARD OF NURSING

MINUTES OF MEETING

BOARD RETREAT – APRIL 12-13, 2017

The Ohio Board of Nursing Retreat was held on April 12-13, 2017 at the Drury Inn at 6170 Park Center Circle, Dublin. The President, Vice-President, and Executive Director reviewed the agenda prior to the meeting.

On Wednesday, April 12, at 9:00 a.m., President Patricia Sharpnack called the meeting to order. On Thursday, April 13, at 9:00 a.m., President Patricia Sharpnack called the meeting to order.

BOARD MEMBERS

Patricia Sharpnack, RN, President
J. Jane McFee, LPN, Vice-President
Janet Arwood, LPN
Brenda Boggs, LPN
Nancy Fellows, RN
Lisa Klenke, RN
Lauralee Krabill, RN
Maryam Lyon, RN (Absent Wednesday)
Sandra Ranck, RN
Joanna Ridgeway, LPN
Matthew Carle, JD, Consumer Member (Absent Wednesday and Thursday)

Unless noted in these minutes as exhibits, all written reports submitted to the Board are maintained in the Board office according to the Board record retention schedule.

WELCOME AND ANNOUNCEMENTS

Board President Patricia Sharpnack welcomed the attendees. Vice President J. Jane McFee read the Board mission each day.

COMPLIANCE PROGRAM

Compliance Protocols

Lisa Ferguson-Ramos reviewed proposed revisions to the Disciplinary Complaint Protocol; Discipline Priorities and Guidelines Protocol; and Settlement Conference Protocol. The Board also discussed the California State Auditor Report addressing complaint resolution processes by the California Board of Registered Nursing, December 2016.

Review of Processes

Lisa Ferguson-Ramos and David Geiger provided an overview of the internal LeanOhio process they conducted with compliance staff in order to examine best practices, streamline processes, and create greater efficiencies. Board members stated they appreciated the work that is being done.

Alternative Program for Chemical Dependency Review/Audit

L. Ferguson-Ramos provided an overview for the Board's review and audit of the Alternative Program for Chemical Dependency (AP). She reviewed the history and components of the program, criteria for eligibility, conditions and prohibitions, successful completion, and the rate of subsequent relapses for individuals released early from AP. The Board discussed a four-year versus five-year requirement for AP participation, eligibility criteria, and the impact of an individual relapsing when participating in AP.

B. Houchen stated that Tom Dilling had served on the 2010 NCSBN Committee on Chemical Dependency, which published guidelines and a manual about alternative programs. Recently, T. Dilling was requested to work with NCSBN member boards to review the manual and guidelines to determine if revisions or updates are needed. The Board agreed by general consensus to wait for the work of NCSBN to be completed prior to determining if changes are needed in the program.

Practice Intervention and Improvement Program Review/Audit

L. Ferguson-Ramos provided an overview of the Practice Intervention and Improvement Program (PIIP) for the Board's review and audit. Board staff provided a copy of the Continuing Education Resource List, as requested.

Questions

The Board discussed questions about nursing refresher courses, Medicaid fraud, and disciplinary cases from prior years.

COMPACT STATEMENT

B. Houchen provided background information about the Compact, also known as multi-state licensure or the Nurse Licensure Compact (NLC). The Board reviews the Board Statement on Multi-State Nurse Licensure at least annually.

It was noted that NCSBN is vigorously promoting the Compact. Board members discussed that while the new/enhanced Compact may promote mobility, the Board believes that there continue to be significant issues such as discrepancies in disciplinary actions, legal issues regarding the broad authority of the Compact Commission that will govern the Compact states, and unknown fiscal implications.

Board members acknowledged that while Compact licensure may be advantageous for mobility, an expedited endorsement process also facilitates mobility. Lauralee Krabill stated that the Wall Street Journal article, *Occupational Licensing Doesn't Seem to Restrict Nurses' Mobility*, indicates licensing is not a major issue for mobility. Lisa Klenke noted that Board would need to continue to address its core public protection responsibility while addressing telehealth.

Board members stated that they believe potential risks of harm to the public outweigh the potential benefits of Compact licensure. The Board agreed by general consensus to re-affirm the Board Statement on Multi-State Nurse Licensure as presented and not to pursue the new/enhanced Compact at this time.

CORE

The Board is a participant in the NCSBN Commitment to Ongoing Regulatory Excellence (CORE). B. Houchen presented the CORE data reports for the Board's review and discussion. It was noted that the limitations of the report include missing or incomplete data and inconsistencies among boards as to how certain data are reported. The Board discussed the FY16 Ohio report, which included a comparison to similar size boards that participated in CORE (Florida, Illinois, Pennsylvania and Texas).

Nancy Fellows asked about limitations in the number of times an applicant can take the NCLEX and the length of time between taking the NCLEX and graduation. Board staff will follow-up with information addressing this topic.

STRATEGIC PLAN

B. Houchen reviewed the proposed revisions for the Strategic Plan. The Strategic Plan, as discussed, will be placed on the May Board agenda for approval.

BOARD COMMITTEE ON CPG APPOINTMENTS

The Board Committee on CPG Appointments met on Wednesday, April 12, 2017.

LEGISLATIVE

Legislative Report

Tom Dilling presented the legislative report. Board members discussed HB 290 (131st GA) that allows nurses to apply volunteer work hours provided to indigent and uninsured persons to meet up to one-third of their continuing education requirements for licensure renewal.

T. Dilling discussed the following possible amendments to the Nurse Practice Act: provide an exemption for out-of-state nurses to provide nursing care at a SeriousFun children's network camp if certain conditions are met; to no longer require reporting to the Board within 30 days of a change in the collaborating

physician, instead the APRN would report the change upon licensure renewal or request of the Board; make changes to the language of HB 216 for clarity regarding the requirements for out-of-state prescribers seeking reciprocity in Ohio; add language about the use of naloxone in emergency situations by nurses; expand LPN IV therapy provisions; and revise legal publication requirements. The Board agreed by general consensus to pursue these legislative changes.

Maryam Lyon provided an update regarding the discussions about federal and Board regulation of dialysis technicians. She provided information about training and the federal and state requirements for dialysis technicians. The Advisory Group on Dialysis continues to gather information for its discussions regarding whether certain state regulations may be duplicative and what regulations should remain in place.

Military Training and LPN Licensure

B. Houchen presented information regarding military training and LPN licensure. In the fall of 2015, B. Houchen and T. Dilling met with representatives of the Ohio National Guard, the Office of Workforce Transformation, and the Military and Veteran Affairs Department regarding a pathway for medics to obtain LPN licensure in Ohio. As a result of the ongoing discussions and research, NCSBN conducted a Gap Analysis, based on higher-level medic training.

Based on the NCSBN Gap Analysis, the Air Force BMTCP 4N051 (5 Skill Level) training, in conjunction with the education obtained through the Associate in Applied Science Degree program from CCAF, meet the requirements of the PN curriculum.

Board members discussed that LPN licensure in Ohio should be granted for military personnel who meet the requirement. The Board agreed by general consensus to seek a legislative amendment either in the budget bill or a bill that is moving quickly through the legislature.

Nancy Fellows asked if there was military training equivalent for RN licensure, and staff reported that they were not aware of any military training that would be equivalent to RN educational preparation.

HB 216 AND LICENSURE UPDATE

HB 216

The Board reviewed the summary of the major provisions of HB 216 and the transitioning from certification to licensure for APRNs. HB 216 eliminates the certificate of authority and the certificate to prescribe and replaces them with an APRN license that will designate APRNs as CRNAs, CNPs, CNSs, or CNMs.

Ohio eLicense System

B. Houchen reviewed a memorandum about licensure and renewal, including the background of the Ohio eLicense system, the Board's work since 2009 to address the challenges, and preparation for RN and APRN renewal this year.

A functional Ohio eLicense system is the key component for the Board to meet one of its strategic initiatives, "Implement technological systems and innovative regulatory programs to increase organizational efficiency and use of resources," adopted in 2006. The use of technology is vital for successful and efficient licensing; the Board relies on the Ohio eLicense 3.0 system through the DAS Office of Information Technology and their vendor to assist with managing, processing, and timely completing a very large volume of work. The Board will renew over 200,000 licenses and certificates, issue approximately 20,000 new licenses and certificates, and convert about 13,000 certificates to licensure as required by HB 216. The Board regulates over 280,000 licenses and certificates, the largest number regulated by an Ohio professional licensing board.

Board staff are diligently working to timely provide information to licensees and stakeholders, collaborate with DAS and their contractor about the IT modifications, and prepare for renewal. The Board believes it is in a better position because of these system changes, to ensure our licensees experience a successful renewal period and transition to APRN licensure.

ADMINISTRATIVE RULES

Holly Fischer reviewed the rule chapters the Board will consider in 2017.

Five-Year Review Rules and Other Proposed Revisions

As part of the five-year review, the Board will discuss Ohio Administrative Code Chapters 4723-1, Board Organization and Records; 4723-3, Definitions; and 4723-14, Continuing Education. The Board will also consider revisions to individual rules that are not slated for five-year review, but are either required to be revised, or recommended to be updated, due to recent legislative action, or for technical reasons. In particular, significant changes will be needed due to HB 216, effective April 6, 2017. Board members discussed the revisions and will review draft rule language at the May Board meeting. An interested party meeting will be scheduled.

Acute Pain Rules/Prescribing

Since the March Board meeting, Board staff worked closely with the Governor's office and State Medical, Pharmacy, and Dental boards to draft preliminary rule language to establish requirements for treatment of acute pain with opioid analgesics. This is a strong collaborative effort and represents one building block in the fight to combat the Ohio opioid crisis. The Board reviewed the proposed rule language and agreed by general consensus for staff to proceed with the timeframe presented so that the rule would be effective on August 31, 2017.

ETHICS TRAINING

H. Fischer presented an Ohio Ethics Commission online e-course, *The Ohio Ethics Law: It's Everybody's Business*. Those in attendance fulfilled the Governor's requirement for annual instruction on Ohio's Ethics Laws, in accordance with Executive Order 2011-03K.

Completing the ethics course were Board members Janet Arwood, Brenda Boggs, Nancy Fellows, Lisa Klenke, Lauralee Krabill, Maryam Lyon, J. Jane McFee, Sandra Ranck, Joanna Ridgeway, and Patricia Sharpnack; and Board staff Betsy Houchen, Tom Dilling, Lisa Emrich, Lisa Ferguson-Ramos, Holly Fischer, Margo Pettis, John Robinson, and Lesleigh Robinson.

PRACTICE AND EDUCATION

Board Appointments for the Committee on Prescriptive Governance

Action: It was moved by Sandra Ranck, and seconded by Brenda Boggs, that the Board appoint Kristine Scordo, nominated by the Council for Ohio Health Care Advocacy, to the Committee on Prescriptive Governance, for a two-year term, effective May 1, 2017.

Action: It was moved by Lauralee Krabill, seconded by Janet Arwood, that the Board appoint Sherri Sievers, nominated by the Ohio Association of Advanced Practice Nurses, to the Committee on Prescriptive Governance, for a two-year term, effective May 1, 2017.

NEGP – New Funding Cycle

The 2017-2019 NEGP grant cycle begins September 1, 2017. Programs may submit proposals for three categories: pre-license PN that is part of a one plus one program, pre-license RN, and post-license. Board members Nancy Fellows, Lauralee Krabill, Sandra Ranck, and Patricia Sharpnack volunteered to review program proposals. The Board will award the NEGP grants at the July 2017 Board meeting.

Chapter 4723-5, OAC, Summary of Revisions

L. Emrich reviewed information that summarizes the rule revisions in Chapter 4723-5, OAC, Nursing Education Programs, effective April 1, 2017. She reported that this information and the revised rules would be distributed to each pre-license nursing education program administrator. Board staff have been invited to provide an update at the Ohio Organization of Practical Nurse Educators and the Ohio Council of Associate Degree Nurse Educators meetings. The revisions will also be presented at the Education Program Workshops.

OTHER BUSINESS

Board Meeting Dates for 2019

The Board approved the following meeting dates for 2019: January 16-17, March 13-14, April 17-18, May 22-23, July 24-25, September 18-19, November 20-21.

Hotel for 2018 Retreat

Board members agreed to return to the Drury Inn & Suites for the 2018 Board Retreat.

Evaluation of Retreat Meeting

Board members stated it was a good meeting and they appreciated the information provided for review and discussion.

The meeting adjourned on Thursday, April 13, 2017 at 1:36 p.m.

Patricia A. Sharpnack, DNP, RN
President



Attest:

Betsy Houchen, RN, MS, JD
Executive Director

