

NEW MEXICO BOARD OF NURSING
GENERAL BUSINESS MEETING
APRIL 14-16, 2010

PLACE: Hilton Garden Inn Uptown, 6510 Americas Parkway, Albuquerque NM 87110

TIME: April 14, 2010 9:00 am until concluded Disciplinary Session/General Meeting
April 15, 2010 9:00 am until concluded Disciplinary Session/General Meeting
April 15, 2010 9:00 am until concluded Rules Hearing/General Meeting/
Disciplinary Session (if needed)

PRESENT: Terri Fortner, RN, MSN, PMH-NP, Chairperson
Robin Jones, Ed.D., MSN, RN, Vice-Chair
Polly Petersen, RN, MSN, Secretary
Mike Wallace, MSN, FNP-BC
Tony Escudero
Denton Holmes (April 14, 15 and part of April 16, 2010)
Diale Fomukong, M.Sc., CEDFP

ABSENT: Denton Holmes (part of April 16, 2010)

STAFF PRESENT: Deborah J. Walker, MSN, RN, Executive Director, Jackie Waggoner, MSN, RN, Associate Director/Education/Unlicensed Assistive Personnel, Nancy Darbro, PhD, APRN, CNS, LPCC, LADAC, Diversion Program Coordinator, Lesley Lowe, Assistant Attorney General, Daniel Griego, Agency Administrator, Cathy Baca, Executive Administrative Assistant, Sabrina Vidaurri, Advanced Clerk Specialist, (Discipline/Complaints), Laura Moya, Advanced Clerk Specialist (Unlicensed Assistive Personnel)

GUESTS: Patricia Boyle, ED, NMCNE, Albuquerque; Debra Brady, RN, UNM, Albuquerque; Susan Williams, Director, NMHU, Las Vegas; Sherie Shupe, DON, Computer Career Center, Las Cruces; Carmen Luttrell, Clinical Director, Pima, Albuquerque; Holly Woelbet, Director, Pima, Albuquerque; Ron Nelson, RN, Albuquerque; Terrell Clima, RN, Oxman, Santa Fe; Lana Dvorkin, Coordinator, Oxman College, Santa Fe; Mike Dvorkin, Principal, Oxman College, Santa Fe; Katie Gleeson, Student, UNM School of Law, Albuquerque; Becca Kreiner, Student, UNM School of Law, Albuquerque; Delores Thompson, Director, NMJC, Hobbs; Frances Ellis, Director, NTC, Crownpoint; Nisa Bruce, Director, SJC, Farmington; Kathy Falkenhagen, Director, UNM-Taos, Taos; Marji Campbell, Director, UNM-Gallup, Gallup; Vicky Kingsbury, Director, NMSU-DACC, Las Cruces; Fran A'Hern Smith, Director, ITT Tech, Albuquerque; Tom Davis, Dean, Navajo Technical College, Crownpoint; Delores Becenti, Registrar, Navajo Technical College, Crownpoint; Ellen Trather, Nursing Faculty, NNMC, Espanola; Brett Eaton, UNM, Albuquerque; Danny M., UNM, Albuquerque; Helen Leavy, Pima, Albuquerque; Betty Ray, LCC, Las Vegas; Linda Siegle, CRNA, Santa Fe; Alex Daniels, NTC, Crownpoint; Brian Sweeney, Student, UNM, Albuquerque; Pat McIntire, Chair, WNMU, Silver City; Deanna Suggs, Director, NMSU, Carlsbad; Sherry Anaya, Student, CCC, Clovis; Angela Anderson, Student, CCC, Clovis; Danielle Bernatis, Student, CCC, Clovis; Araseli Castillo, Student, CCC, Clovis; Diane Davis, Student, CCC, Clovis; Amanda Elam, Student, CCC, Clovis; Victoria Fuss, Student, CCC, Clovis; Honey Sue Gist, Student, CCC, Clovis; Sophie Gonzales, Student, CCC, Clovis; Matthew Kelley, Student, CCC, Clovis; Jeannette Knaff, Student, CCC, Clovis; Staria Martin, Student, CCC, Clovis; Anais Molina, Student, CCC, Clovis; Misty Nortje, Student, CCC, Clovis; Mandy Peel, Student, CCC, Clovis; Holly Prescott, Student, CCC, Clovis; Angelica Serna, Student, CCC, Clovis; Anna Stidham, Student, CCC, Clovis; Maria Vela, Student, CCC, Clovis; Jeremy Willard, Student, CCC, Clovis; (Name illegible on the sign-in sheet may be misspelled or not included).

RULES HEARING:

1. It was moved by Member Petersen, seconded by Member Jones, and passed unanimously to “move to approve language change to 16.12.2.7 R NMAC.”
2. It was moved by Member Petersen, seconded by Member Wallace, and passed unanimously to “move to approve language change to 16.12.2.10 J NMAC.”

APPROVAL OF MINUTES: It was moved by Member Wallace, seconded by Member Fomukong and passed unanimously to “move to accept the general minutes of February, 2010.”

ACCEPTANCE OF AGENDA: It was moved by Member Jones, seconded by Member Fomukong and passed unanimously to “move to accept agenda as presented.”

OPENING REMARKS: Board Chair, Terri Fortner. Ms. Fortner handed out pins for the Board Members to represent the Board of Nursing. Ms. Fortner also announced that the Business Meeting in October will be held in Farmington.

PUBLIC COMMENTS: Linda Siegle, representing the CRNAs Association, spoke about wanting to have a rule change regarding the CRNAs having their corporations covered by the Medical Malpractice Act. The Board would like to have the ED and staff to look over the proposed rules change. “It was moved by Member Jones, seconded by Member Petersen, and passed unanimously to “move to table language development of BON CRNA language”.

EXECUTIVE DIRECTOR REPORTS:

Board Chair, Terri Fortner was awarded the Governor’s Award for Outstanding Women, from the Commission on the Status of Women, for all her work during the time that the Board of Nursing did not have an Executive Director. The awards ceremony will be held on May 7th at the Albuquerque Hotel.

- **Administrative**

1. The financial report was presented to the Board. No Board action required.
2. It was moved by Member Fomukong, seconded by Member Jones, and passed unanimously to “move to accept the FY11 Budget.” Member Holmes absent.
3. Applications for funding from Nursing Excellence Fund
 - a. It was moved by Member Petersen, seconded by Member Jones, and passed unanimously to “move to provide funding for proposals from New Mexico State University, New Mexico Center for Nursing Excellence and University of New Mexico, College of Nursing.” Member Holmes absent.
 - b. It was moved by Member Petersen, seconded by Member Jones, and passed unanimously to “move to provide funding for Northern New Mexico College.” Member Holmes absent.

- **Updates**

1. IT response to the Annual Audit was presented. There were some issues that the Board addressed. The Board has a separate fax line for renewals.
2. Web site has a new look. The Board Staff is working to make the website more user friendly.
3. Investigative Process Pamphlet will be included in the renewal application.
4. New Graduate Packets/Licensing has a new icon on the web. All the application documents are now in one place.
5. Recommendation re: Advisory Committee Membership for Nursing Practice and Advanced Practice was presented. The next newsletter will include an invitation to join any of the Committees.

6. HM50 update was presented to the Board. The first meeting was held at the BON. There were a lot of good ideas and recommendations. The next meeting will be in Santa Fe.
7. Staff and Board Development. The Board ED has recommended that staff and board members attend meetings that are available through the National Counsel.
8. The Board of Nursing will have students doing internship work throughout the year. This will be voluntary and open to junior and senior level in high school and persons enrolled in nursing programs.

BON NURSING ADVISORY COMMITTEE MEMBERSHIP

A. Nursing Education

1. It was moved by Member Petersen, seconded by Member Jones, and passed unanimously to “move to approve Debra Brady, Janice Bruce, Jillian Fierro, Mary Moser Gautreaux, Karen Hand, Kathy Head, Fran A’Hern Smith, Conni Reichert, Elizabeth Berrey, and Susan Weitzel as members of the Nursing Education Advisory Committee in accordance with 16.12.3.15 NMAC.” Member Holmes absent.
- ##### B.
1. It was moved by Member Petersen, seconded by Member Jones, and passed unanimously to “move to approve Carolyn Roberts, Erica Hamilton, Barbara Hickok, Lauri Lineweaver, Gayle Richerson, Maria Scarpelli, Fran A’Hern Smith, and Rainbeaux Trujillo as members of the Nursing Practice Advisory Committee in accordance with Subsection K of 16.12.2.12.NMAC.” Member Holmes absent.
- ##### C.
1. It was moved by Member Petersen, seconded by Member Jones, and passed unanimously to “move to approve Susan Fox, Marcy Smith, Jacquelyn Williams, Carolyn Ernest, and Virginia Valentine as members of the Advanced Practice Advisory Committee in accordance with Subsection M of 16.12.2.15 NMAC.” Member Holmes absent.

EDUCATION:

Nursing Education

1. Anamarc Educational Institute has changed their name to Anamarc College. Board info only.
2. Apollo College has changed their name to Carrington College. Board info only.
3. Computer Career Center has changed their name to Computer Career Center, a division of Vista College. It was moved by Member Petersen, seconded by Member Fomukong, and passed unanimously to “move to approve the change from semester hours to quarter hours requested by Computer Career Center in accordance with 16.12.3.13 NMAC.” Member Holmes absent.
4. Pima Medical Institute has a new Interim Director, Dr. Helen Leavy. The staff had concerns about frequent changes in Directors.
5. It was moved by Member Petersen, seconded by Member Jones, and passed unanimously to “move to grant full approval for the nursing program at Eastern New Mexico University for eight years in accordance with Subsection B of 16.12.3.8 NMAC.” Member Holmes absent.
6. Dona Ana Community College continued conditional approval report was presented to the Board. The College is in compliance. No action required.
7. It was moved by Member Petersen, seconded by Member Jones, and passed unanimously to “move to approve the program proposal for the associate degree in nursing program from Navajo Technical College with a site visit to be conducted for initial approval before the program is implemented in accordance with Subsection D and E of 16.12.3.11 NMAC.” Member Holmes absent.
8. It was moved by Member Petersen, seconded by Member Fomukong, and passed unanimously to “move to approve the program proposal for the accelerated baccalaureate nursing program from Brookline College with a site visit to be conducted for initial approval before the program is implemented in accordance with

Subsection D and E of 16.12.3.11 NMAC.” Member Holmes absent.

9. It was moved by Member Petersen, seconded by Member Jones, and passed to “move to approve the feasibility study by Oxman College in accordance with Subsection B of 16.12.3.11 NMAC.” Member Wallace abstained and Member Holmes absent.
10. National American University has withdrawn their proposed nursing program feasibility study.
11. Nursing Program Reports (Subsection C (2) i (i) of 16.12.3.7 NMAC)
 1. It was moved by Member Petersen, seconded by Member Jones, and passed unanimously to “move to approve the reports submitted by the following nursing programs: Anamarc Educational Institute, New Mexico Junior College, and University of New Mexico in accordance with 16.12.3.8 C (2) i NMAC.” Member Holmes absent.
12. Nursing Program Reports (Subsection C (2) i (iii) of 16.12.3.8 NMAC)
 1. It was moved by Member Jones, seconded by Member Fomukong, and passed unanimously to “move to approve the report submitted by the University of New Mexico – Gallup with a site visit to be conducted in accordance with 16.12.3.8 C (2) i NMAC.” Member Holmes absent.
 2. It was moved by Member Petersen, seconded by Member Fomukong, and passed unanimously to “move to approve the report submitted by Western New Mexico University with a site visit to be conducted in accordance with 16.12.3.8 C (2) i NMAC.” Member Holmes absent.

Certified Medication Aide

1. Biennial Program Approval
 - a. It was moved by Member Petersen, seconded by Member Fomukong, and passed unanimously to “move to renew the medication aide program at Good Samaritan Society – Socorro for two years in accordance with Subsection B of 16.12.5.13 NMAC.” Member Holmes absent.
 - b. CMA II Exam update was presented for Board information only.

Certified Hemodialysis Technician

1. It was moved by Member Petersen, seconded by Member Fomukong, and passed unanimously to “move to renew the hemodialysis technician programs at Fresenius Medical – Albuquerque Area and the University of New Mexico Hospital Acute Dialysis Unit for a two year period in accordance with Subsection D of 16.12.4.12 NMAC.” Member Holmes absent.
2. It was moved by Member Petersen, seconded by Member Fomukong, and passed unanimously to “move to approve Charles Baez as a member of the Hemodialysis Technician Advisory Committee in accordance with 16.12.4.15 NMAC.” Member Holmes absent.

DISCIPLINE/ALTERATIVE PROGRAM:

1. DP RAC Nomination Approval
 - a. It was moved by Member Wallace, seconded by Member Jones, and passed unanimously to “move to approve nomination of Lisa Nichols.” Member Holmes absent.
 - b. It was moved by Member Petersen, seconded by Member Fomukong, and passed unanimously to “move to accept language change in contract for participation in diversion program.” Member Holmes absent.

THE BOARD OF NURSING MEETING ADJOURNED AT APPROXIMATELY 11:09 A.M.

Volume XXXV, No.2, Page 5
Official Minutes of the BON Meeting
April 14-16, 2010

TERRI FORTNER, CHAIRPERSON

POLLY PETERSEN, SECRETARY

APPROVED: _____

TRANSCRIBED BY: CATHY M. BACA
EXECUTIVE ADMINISTRATIVE ASSISTANT

DISCIPLINARY SUMMARY

L18430 Probation 6 months/\$250 Fine/CE Classes
L18169 Reinstate
R44378 Probation 6 months/Letter of Reprimand
R38882/CNP Dismissed
L13187 Reinstate
D00319/I00290 Dismissed
xxx-xx-6066 Set aside Default
C00201 Revoke by Default
L20019 Reprimand
R42103 Revoke by Default
R19100 Probation 1 year
R471089 Letter of Reprimand
R29138 Continued to June Meeting
L19834 Settlement Agreement/Letter of Reprimand/CE Classes
D00341/I00307 Revoke by Default
R51446 Revoke by Default
C00274 Revoke by Default
H00483 Revoke by Default
R64391/CRNA Revoke by Default
C00293 Revoke by Default
L19718 Revoke by Default
C00083 Revoke by Default
R55292 Revoke by Default

R54955 Authorized issuance of Notice of Contemplated Action (NCA)
R42801 Authorized issuance of Notice of Contemplated Action (NCA)
xxx-xx2021 Authorized issuance of Notice of Contemplated Action (NCA)
xxx-xx5604 Authorized issuance of Notice of Contemplated Action (NCA)
R53553 Authorized issuance of Notice of Contemplated Action (NCA)
R46825 Authorized issuance of Notice of Contemplated Action (NCA)
R37540 Authorized issuance of Notice of Contemplated Action (NCA)
C00304 Authorized issuance of Notice of Contemplated Action (NCA)
H00635 Authorized issuance of Notice of Contemplated Action (NCA)
H00736 Authorized issuance of Notice of Contemplated Action (NCA)
R29138 Authorized issuance of Notice of Contemplated Action (NCA)
R44051 Authorized issuance of Notice of Contemplated Action (NCA)
R26772/L10488 Authorized issuance of Notice of Contemplated Action (NCA)
R66118 Authorized issuance of Notice of Contemplated Action (NCA)
L20185 Authorized issuance of Notice of Contemplated Action (NCA)
R42801 Authorized issuance of Notice of Contemplated Action (NCA)
L13594 Authorized issuance of Notice of Contemplated Action (NCA)
R18851/L08273 Authorized issuance of Notice of Contemplated Action (NCA)

L20036 Authorized issuance of Notice of Contemplated Action (NCA)
R64552 Authorized issuance of Notice of Contemplated Action (NCA)
C00288 Authorized issuance of Notice of Contemplated Action (NCA)
C00084 Authorized issuance of Notice of Contemplated Action (NCA)
H00729 Authorized issuance of Notice of Contemplated Action (NCA)
RN150622AZ Authorized issuance of Notice of Contemplated Action (NCA)
R33425 Authorized issuance of Notice of Contemplated Action (NCA)
R56931 Authorized issuance of Notice of Contemplated Action (NCA)
R36438 Authorized issuance of Notice of Contemplated Action (NCA)

Dismissed twelve (12) Complaints
Dismissed five (5) NCAs
Approved eleven (11) Serious Letter of Concern (SLOC)
Approved two (2) Voluntarily Letter of Reprimand (VLOR)
Took no action on ten (10) complaints
Reinstated one (1) license
Summary Suspended one (1) license
Set aside one (1) Default Order
Discharged one (1) Diversion Program participant