

NEW MEXICO BOARD OF NURSING
GENERAL BUSINESS MEETING
December 08-09, 2010

PLACE: Board of Nursing Conference Room

TIME: December 08, 2010 9:00 am until concluded Disciplinary Session
December 09, 2010 9:00 am until concluded General Meeting/Disciplinary Session
(if needed)

PRESENT: Terri Fortner, RN, MSN, PMH-NP, Chairperson
Robin Jones, Ed.D, MSN, RN, Vice-Chair (December 09, 2010)
Polly Petersen, RN, Secretary
Mike Wallace, MSN, FNP-BC
Diale Fomukong, M.Sc., CEDFP
Denton Homes
Kathy Lopez-Bushnell, RN, CNP, Ed.D, MSN, MPH

ABSENT: Robin Jones, Ed.D, MSN, RN, Vice-Chair (December 08, 2010)

STAFF PRESENT: Deborah J. Walker, RN, MSN, Executive Director, Nancy Darbro, PhD., APRN, CNS, Diversion Program Coordinator, Lesley Lowe, Assistant Attorney General, Tani Skinner, RN,BSN, Chief Nurse Investigator, Cathy Baca, Executive Administrative Assistant, Sabrina Vidaurri, Advanced Clerk Specialist (Discipline/Complaints).

GUESTS: Susan Morgan, DON, Brown Mackie College, Albuquerque; Shawn Dupri, Campus Director, Vista College, Las Cruces; David Whipple, NS, Pima Medical School, Albuquerque; Jeff Gallegos, NS, Pima Medical School, Albuquerque; Robin Wilson, Dean, Vista College, Albuquerque; Carolyn Roberts, ED, NMNA, Santa Fe; Sherie Shupe, DON, Vista College, Las Cruces; Lory Helmick, DON, Anamarc College, Santa Teresa; Rachel Merillo, Program Coordinator, Anamarc College, Santa Teresa; Mariana Granados, Exec. Admin., Anamarc College, Santa Teresa; Tori Hollins, SN, Pima Medical Institute, Albuquerque; Desiree Garcia, SN, Pima Medical Institute, Albuquerque; Gloria Doherty, ACNP-BC, NMNA/AACN, Albuquerque; Carmen Luttrell, Program Director, Pima Medical Institute, Albuquerque; Elizabeth Berrey, ED, CNM, Albuquerque; Pat Boyle, ED, NMCNE, Albuquerque; Lauri Lineweaver, Clinical Education Specialist, Presbyterian, Albuquerque; Amy Bachynyiz, Pharmacist, UNM, Albuquerque; Ryan Prest, Pharm. Intern, UNM, Albuquerque; Debra Brady, Chair, UNM, Albuquerque; Dale Tinker, ED, NM Pharmacist Association, Albuquerque; John Austin, Nursing ED, UNM-Valencia, Los Lunas; Karen Futo, CNP, UNM, Albuquerque; Marji Campbell, Director, UNM-G, Gallup; Nisa Bruce, Director, SJC, Farmington; Kathy Falkenhagen, Director, UNM, Taos; Roni DeLaokerus, Dean Brookline College, Albuquerque; Kim McKinley, Sr. Director, Carrington College, Albuquerque; Pat McIntire, Dean, WNMU, Silver City; Fran A'Hern Smith, Chair, ITT, Albuquerque; (Name illegible on the sign-in sheet may be misspelled or not included).

CALL TO ORDER: The regular meeting was called to order by Terri Fortner, Chairperson at 9:01 a.m.

APPROVAL OF MINUTES: It was moved by Member Bushnell, seconded by Member Fomukong, and passed unanimously to “move to accept/approve the minutes of October, 2010 and the Special Meeting of November, 2010.”

ACCEPTANCE OF AGENDA: It was moved by Member Jones, seconded by Member Wallace, and passed unanimously to “approve amended agenda.”

PUBLIC COMMENTS:

Shannon Horst gave a brief report regarding amendment to the Nurse Practice Act to include Christian Science Nurse as an exception to the NPA even though they are not nurses. The Board indicated willingness to discuss options prior to having any language included in the NPA.

Martin Mathisen, CPA gave a summary of the Annual Financial Audit for the Board of Nursing.

Dale Tinker, Executive Director of the New Mexico Pharmacists Association, spoke about the TB protocols which needs approval by the Board of Medicine, Board of Pharmacy and the Board of Nursing. It was moved by Member Bushnell, seconded by Member Wallace, and passed unanimously to “move to approve TB protocol as presented to the Board by the NM Pharmacists Association.” Member Holmes absent.

Lauri Lineweaver of the Boar of Nursing Practice Committee spoke about Medical Spa Practice issues. Ms. Lineweaver would like to have the NPA language change to clarify the scope of practice of nurses in medical spa facilities. The Board Attorney and Members pointed out that there is already language clarifying the scope of practice for nurses.

Advanced Practice Committee Activities update was presented for Board information only.

Education Advisory Committee update was presented for Board information only.

BOARD CHAIR DISCUSSION:

1. The Board discussed having an in-service January 19, 2010. The topic will be Board Building Forum.

Executive Director Reports:

- Administrative
 1. The Board of Nursing Budget: 2011 Operating, the 2012 and the development of 2013 was presented to the Board. The ED let the Board know that the Board of Nursing had a budget allocation imposed that 50% of the 2011 budget be expend for the first part of the calendar year. The ED reported this requirement has been met. LFC will be contacting the Board around the middle of January regarding the recommendations for the budget for 2012. As for the development of 2013, the ED recommended that starting in February, the Board needs to get involved in the budget planning. The Board Chair recommended to be kept better informed thru out the year regarding the budget.
 2. Staff vacancies update was presented to the Board. Since there is a hiring freeze as ordered by the Governor, the Board of Nursing cannot hire any of the vacancies as this time.
 3. Communication with public access to the Board office was addressed by the ED to the Board. The ED stated that the Board of Nursing as made improvements regarding communicating with the public. The phones and the email are getting answered on a daily basis.
 4. Date Integrity Project update was presented for Board information only. The Board through funding from the National Counsel of State Board of Nursing has John Alexander, a data base specialist that will be working with our IT Manager, Shauna Casaus in creating reports for the Board and cleaning up the database.

EDUCATION:

1. It was moved by Member Petersen, seconded by Member Jones, and passed unanimously to “move to grant full approval for the nursing program for UNM Gallup for five years in accordance with Subsection B of 16.12.3.8 NMAC.”
2. It was moved by Member Petersen, seconded by Member Jones, and passed unanimously to “move to grant full approval for the nursing program at Vista College for four years in accordance with Subsection B of 16.12.3.8 NMAC.”
3. Western New Mexico State University update on their nursing program was presented for Board information only.
4. It was moved by Member Jones, seconded by Member Wallace, and passed unanimously to “move to grant full approval for the nursing program at New Mexico State University – Las Cruces, for five years in accordance with Subsection B of 16.12.3.8 NMAC.”
5. Dona Ana Community College update on their nursing program was presented for Board information only.

MEDICATION AIDE PROGRAM APPROVAL:

1. It was moved by Member Peterson, seconded by Member Jones, and passed unanimously to “move to approve San Juan Care and Rehabilitation, Easter Seals El Mirador – Santa Fe, Easter Seals El Mirador – Alcalde and Princeton Place for one year as a Board approved Medication Aide Facility in accordance with Subsection B of 16.12.5.13 NMAC.”
2. It was moved by Member Petersen, seconded by Member Jones, and passed unanimously to “move to approve UNM Valencia Campus for one year as a Board approved Medication Aide Facility in accordance with Subsection B of 16.12.5.13 NMAC.”
3. It was moved by Member Petersen, seconded by Member Jones, and passed unanimously to “move to approve Adelante Development Center, Las Palomas Nursing and Rehabilitation and Sombrillo Nursing and Rehabilitation for two years as a Board approved Medication Aide Facility in accordance with Subsection B of 16.12.5.13 NMAC.”
4. It was moved by Member Petersen, seconded by Member Jones, and passed unanimously to “move to approve Albuquerque Heights Rehabilitation for two years as a Board approved Medication Aide Facility in accordance with Subsection B of 16.12.5.13 NMAC.”
5. It was moved by Member Bushnell, seconded by Member Fomukong, and passed unanimously to “move to revoke approval of Casa Maria Health Medication Aide Program in accordance with 16.12.5.14 D NMAC.”

HEMODIALYSIS TECHNICIAN PROGRAM APPROVAL:

1. It was moved by Member Petersen, seconded by Member Jones, and passed unanimously to “move to approve DSI Renal Center for two year as a Board approved Hemodialysis Technician program in accordance with Subsection E of paragraph 1 of 16.12.4.12 NMAC.” Member Holmes absent.

REQUEST FOR NURSING EXCELLENCE FUND:

1. It was moved by Member Jones, seconded by Member Fomukong, and passed unanimously to “move to table both requests for NMCNE funding.”

PROPOSED DELECTION OF 16.12.1.8 A (6)

1. There will be a rules hearing in February to amend Part 1, General Provision, 16.12.1.8 A (6).

CLOSED EXECUTIVE SESSION FOR LIMITED PERSONNEL MATTERS:

1. It was moved by Member Fortner, seconded by Member Jones, and passed unanimously to “move to go into closed Executive Session.” Member Fomukong absent.
2. It was moved by Member Jones, seconded by Member Holmes, and passed unanimously to “move to go back into Open Session.”
3. It was moved by Member Wallace, seconded by Member Jones, and passed unanimously to “move to place Deborah Walker on administrative leave effective 12/9/10 with termination occurring on December 31, 2010 at 5 p.m.” Member Fomukong voted no.

THE BOARD OF NURSING MEETING ADJOURNED AT APPROXIMATELY 3:42 P.M.

TERRI FORTNER, CHAIRPERSON

POLLY PETERSEN, SECRETARY

APPROVED: _____

TRANSCRIBED BY: CATHY M. BACA
EXECUTIVE ADMINISTRATIVE ASSISTANT

DISCIPLINARY SUMMARY

L21002 Letter of Reprimand

R29138 Suspended 1 year, must serve 14 days, then revert to probation for the remainder of the year with Conditions

R35146 Tabled until February

R45933 Revoke by Default

R12173 Revoke by Default

R23360 Revoke by Default

L18997 Revoke by Default

R53055 Revoke by Default

C00266 Revoke by Default

R26785 Revoke by Default

R35577 Continued until February

R11687/CNP Continued until February

R57006 Authorized issuance of Notice of Contemplated Action (NCA)

L19211 Authorized issuance of Notice of Contemplated Action (NCA)

xxx-xx-8775 Authorized issuance of Notice of Contemplated Action (NCA)

R65983 Authorized issuance of Notice of Contemplated Action (NCA)

L16560 Authorized issuance of Notice of Contemplated Action (NCA)

R34212 Authorized issuance of Notice of Contemplated Action (NCA)

R38839 Authorized issuance of Notice of Contemplated Action (NCA)

R37977 Authorized issuance of Notice of Contemplated Action (NCA)

R16072/CNP000189 Authorized issuance of Notice of Contemplated Action (NCA)

P37467 (Iowa) Authorized issuance of Notice of Contemplated Action (NCA)

R67135 Authorized issuance of Notice of Contemplated Action (NCA)

R46103 Authorized issuance of Notice of Contemplated Action (NCA)

L13187 Authorized issuance of Notice of Contemplated Action (NCA)

Dismissed three (3) Notice of Contemplated Action (NCA)

Dismissed ten (10) complaints

Issued one (1) Serious Letter of Concern (SLOC)

Issued one (1) Voluntary Letter of Reprimand (VLOR)

Took no action on two (2) complaints

Reopened one case and set for hearing in February

Discharged three (3) Diversion Program participants