



**Nursing Care Quality Assurance Commission (NCQAC)
May 13, 2011, 8:30am – 5:30pm
Business Meeting Minutes**

Commission Members:

Susan Wong, MBA, MPA, RN, Chair
Rhonda Taylor, MSN, RN, Vice-Chair
Linda Batch, LPN
Erica Benson-Hillock, MPPA, Public Member
Charlotte Coker, Public Member
William Hagens, MA, Public Member
Margaret Kelly, LPN
Suellyn M. Masek, RN, MSN, CNOR
Darrell Owens, Ph.D., ARNP, ACHPN
Judith D. Personett, EdD, Certified Nurse
Administrator Advanced (CNAA), RN
Gene I. Pingle, RN-BC, BSN
L. Susana Serna, RN, ARNP
Susan Woods, PhD, RN, FAHA, FAAN
Laura Yockey, LPN

Excused Absence:

Diane Sanders, RN, BC, MN

Assistant Attorney General:

Gail Yu, Assistant Attorney General

Staff:

Paula R. Meyer, MSN, RN, Executive Director
Usrah Claar-Rice, MSN, RN, Nursing Education Advisor
Teresa Corrado, LPN, Health Services Consultant
Chuck Cumiskey, BSN, MBA, RN, Nursing Practice Advisor
Mary Dale, Discipline Manager
Trent Kelly, Staff Attorney
Louise Taylor, Secretary
Sam Prideaux, Chief Investigator
Terry West, Health Services Consultant
Martha Worcester, PhD, ARNP, ARNP Advisor

1. 8:30 AM Opening – Susan Wong, Chair – DISCUSSION/ACTION

A. Call to order – 8:30 AM

B. Introductions - NCQAC members, staff, and public members

C. Order of the Agenda - changed

D. Correspondence - None

E. Announcements

- 1) The National Council of State Boards of Nursing (NCSBN) accepted candidates:
 - o Ms. Taylor - for Area 1 Director
 - o Ms. Masek – Member of a Member Board for the Leadership Succession Committee
- 2) NCQAC will host a training for the NCSBN program Taxonomy of Error, Root Cause Analysis and Practice-responsibility (TERCAP) with representatives from Idaho, Oregon, and North Carolina in June, 2011.

- Mr. Cumiskey, NCQAC staff and member of the NCSBN TERCAP Committee are trainers.
- Ms. Patterson, NCQAC staff, helped develop the tools to work with cases
- 3) Governor Gregoire appointed Charlotte Foster as the new NCQAC member starting July 1, 2011. Ms. Foster is currently the director of outpatient services at Swedish Medical Center.
- 4) NCSBN released their Substance Use Manual. Karl Hoehn, staff attorney, served on the committee. It is a resource and evidence based manual. Fifty states were surveyed on alternative to discipline use programs for substance use.
- 5) Ms. Meyer announced that the Commission members will be issued Netbooks and printers at the July meeting.
- 6) Ms. Meyer announced that the staff is looking into a new phone system for the public to use to call into sub-committee meetings.

2. Consent Agenda – DISCUSSION/ACTION

Consent agenda items are considered routine agency matters. The NCQAC approves the consent agenda by a single motion without separate discussion. To discuss a separate item requires a motion to remove the item and then place the item on the regular business agenda.

A. Approval of minutes

- 1) NCQAC Business Meeting - March 18, 2011
- 2) NCQAC Disciplinary Hearing minutes - January 27, 2011, February 25, 2011
- 3) Continuing Competency sub-committee – no minutes
- 4) Licensing and Discipline sub-committee – February 28, 2011, March 21, 2011
- 5) Consistent Standards of Practice sub-committee - no minutes
- 6) ARNP Sub-committee minutes - March 16, 2011
- 7) Nursing Program Approval Panel (NPAP) – February 2, 2011, February 17, 2011
- 8) Nursing Assistant – Nursing Program Approval Panel (NA-NPAP) – October 15, 2010, February 28, 2011
- 9) Licensing reports

MOTION: Ms. Kelly motioned with a second from Ms. Batch to accept the consent agenda. Motion passed.

3. Chair Report –Susan Wong- DISCUSSION/ACTION

A. Service Recognition

- Dr. Judith Personett
 - Received the NCSBN Exceptional Contribution Award and letter.
- Usrah Claar-Rice
 - Dr. Woods recognized Ms. Claar-Rice, Nursing Education Advisor, for her service. She reviewed her background and career history. Ms. Claar-Rice retires June 30, 2011.

B. Medication Assistants plan for interim report

- Ms. Wong, Ms. Taylor, Ms. Kelly, Ms. Batch, and Ms. Benson-Hallock will work with stakeholders to prepare an interim report due to the House Healthcare and Wellness Committee on Medication Assistants.

C. July 7, 2011 workshop, July 8, 2011 meeting

- The NCQAC workshop and business meeting will be held at the Tumwater DOH location.

D. Yakima NCLEX test center review – Rhonda Taylor

- Ms. Taylor gave an overview of the Pearson Vue test site in Yakima.
- The process Pearson Vue uses is thorough and professional.

4. Executive Director Report – Paula Meyer – DISCUSSION/ACTION

**A. Northwest Organization of Nurse Executives (NWONE) Clinical Summits
May 16 – 18, 2011 in Vancouver, Seattle, and Wenatchee**

- Gladys Campbell asked Ms. Meyer give a series of presentations. These presentations will be held in Vancouver, Seattle. Mr. Cumiskey will give a presentation in Wenatchee.

B. Relocation of office

- Two concerns:
 - Time of relocation – June 2011 is the busiest time of year.
 - Lease Rate – Ms. Meyer requested information on current lease rates for both buildings

C. Use and appointment process for pro tempore members of the NCQAC, RCW 18.130.060, 18.79. 070 and 18.79.110

- Pro tem appointments are based on need identified by the NCQAC.

D. Florence Nightingale’s Birthday, May 12, 2011

- Nurses shared their career experiences at a gathering in the Tumwater office.

E. Washington Health Professional Services program director and audit

- Department of Health personnel and Ms. Meyer interviewed for the program director position. The announcement of the new director may be at the July meeting.
- A new concept will be launched in June and it will be called the Substance Use and Abuse Team (SUAT). The team consists of two investigators, two staff attorneys, two Assistant Attorney Generals and two Commission members. Efforts will be concentrated on the substance abuse cases.

F. Business meeting dates: September 2011 through June 30, 2012.

Business meetings are held on the second Friday of January, March, May, July, September and November. The May, July and September meetings are held in person in Tumwater. The November, January and March meetings are held by videoconference.

NCQAC Meeting Dates	
September 9, 2011	in person
November 18, 2011	video conference
January 13, 2012	video conference
March 9, 2012	video conference
May 11, 2012	in person

MOTION: Ms. Benson-Hallock motioned with a second from Ms. Batch to accept the proposed meeting dates. Motion passed

G. Disciplinary hearing dates, July 1, 2011 through June 30, 2012

Hearing Dates	
July 27, 2011	January 27, 2012
August 30, 2011	February 24 2012
September 28, 2011	March 29, 2012
October 25, 2011	April, 26, 2012
November 30, 2011	May 24, 2012
	June 30, 2012

H. Rules hearing delay, SB 6582 - Concerning Nursing Assistants Credentialing

- SB 6582 recognizes alternative training for Nursing Assistant Certified, so that Home Care Aid Certified and Medical Assistant Certified licensees will receive training that will be recognized as equal to Nursing Assistant Certified.
- The hearing will be held by conference call June 21, 2011 8:00am in Tumwater, Washington.

I. Legislation task force report

- There were two bills remaining that the Commission was following and that were successful.
 - The Wound Care bill by Occupational Therapist was signed by the Governor.
 - The second was Military Training recognizing 10 or 11 professions and requires the Secretary or that particular board or profession to write rules so that the training people receive in the military is equivalent to that board or commission.
 - Ms. Hoell and Ms. Masek are updating the comparison of nursing educational requirements with military training requirements from 2005.

J. Member Board Review – Usrah Claar-Rice

- Ms. Claar-Rice went over the review process and explained how the NCLEX committee determines the examination questions. She also explained how examinations are reviewed.

5. Subcommittee Reports – DISCUSSION/ACTION

A. Licensing and Discipline – Margaret Kelly, chair

- Safety to practice statement
 - Original title “Safety to Practice” changed to “Safe to Practice” along with additional modifications. The reviewed and requested changes redefine this procedure as a policy. Ms. Kelly reviewed several changes made to the policy.

MOTION: Ms. Kelly brought forth a motion with a second from the subcommittee to accept the policy with the changes. Motion passed.

B. Continuing Competency – Dr. Judith Personett, chair

- Decision package to support Retired Active fee
- Work continues on the decision package for the Retired Active Fee. Rules associated with a retired active status and fee were identified as the third priority for the NCQAC once the moratorium on rules is lifted.
- Rachael Vernon – Continuing Competency in New Zealand presentation
 - Dr. Susan Woods is the faculty sponsor for Ms. Vernon as a Fulbright scholar. Ms. Vernon is working on developing a consensus view of Continuing Competency in five English speaking countries: United States, Canada, England, Australia and New Zealand. Ms. Vernon showed an overview of Continuing Competency requirements in New Zealand.

Change in the order of the agenda

6. HSQA Cost Allocation - Sam Marshall - DISCUSSION/ACTION

The October 7, 2010 Operating Agreement defines services provided by the Department of Health for the NCQAC. Ms. Marshall presents the costs allocated for the provision of these services.

- The tort claim allocations are based on the Office of Financial Management's model. In the past this was based on the licensing account and on how many programs there were enrolled in the tort insurance program.
- The new call system distributes calls according to the division the caller is trying to reach. This reduces the number of incoming calls and charges.
- The Commission requested that Ms. Marshall meet with Ms. West to go over the decision packages in more detail. Ms. Marshall agreed to have a continuing dialog with Ms. Meyer in the future.

8. 11:00 AM – No executive Session needed

11:30 – 1:00 PM Lunch

9. OPEN MICROPHONE

- Sally Watkins, WSNA
 - Presented the NCQAC with a formally petition to open rules to license qualified Clinical Nurse Specialists as Advanced Registered Nurse Practitioners in Washington State.
- Lois Hoell
 - Standards – Safety to Practice. Ms. Hoell has a concern regarding nurses working with prescribed medications.

Change in the order of the agenda

17. Election of Officers – Dr. Judith Personett - DISCUSSION/ACTION

According to RCW18.79.100, the NCQAC annually elects officers. The slate of candidates was presented at the March 2011 meeting. New officers take their positions at the July meeting. Since Ms. Wong and Ms. Taylor are on the ballot, Dr. Personett chaired this portion of the meeting as the immediate past chair

MOTION: Ms. Batch motioned with a second from Ms. Kelly to close nominations with Ms. Susan Wong and Ms. Taylor nominated for Chair. Dr. Woods is nominated as Vice Chair. Ms. Taylor was nominated from the floor as a candidate for vice chair. Ms. Taylor declined the nomination for vice chair. Voting by ballot was completed. The ballots collected and counted by Terry West.

MOTION: Ms. Batch motioned with a second from Ms. Kelly to approve the vote of Ms. Wong for Chair and Dr. Woods as Vice-Chair. Motion passed.

D. ARNP – Dr. Darrell Owens, chair

- 1) House Health Care and Wellness, April 6 work session, Chronic Non-Cancer Pain Management Rules
 - Request for a six month delay to allow an educational process to take place

MOTION: Dr. Owens motioned with a second from Ms. Benson-Hallock to include an article in the newsletter, produce a brochure and send a letter to all ARNPs in our state and participate in a Webinar as ways to educate providers. Motion passed.

MOTION: Dr. Owens motioned with a second from Mr. Hagens that the rules will be implemented on July 1, 2011 and to delay enforcement of disciplinary action until January 1, 2012. Motion passed.

- 2) Delegation of pharmacy exemptions to ARNP Consultant

- The Sub-committee would like to delegate the exemption requests to the ARNP Consultant, Dr. Martha Worcester.

MOTION: Dr. Owens motioned with a second from the sub-committee to delegate the exemption for prescriptive authority on applications and licensure within one year. Motion passed.

3) Advanced Practice Registered Nurse Consensus Model & Implication for Washington Nurse Practitioners.

- The Washington State Nursing Association letter to the NCQAC petitions to amend WAC 246-840 sections 302, 342, 344, and 410 rules to license qualified Clinical Nurse Specialists as Advanced Registered Nurse Practitioners
- The ARNP sub-committee agreed to support the concept of the Consensus Model. Adoption of the consensus model would require amending the RCWs for ARNPs and changing the title from Advanced Registered Nurse Practitioners to Advanced Practice Registered Nurses.
- The sub-committee will also look at prescribing beyond state lines.

C. Consistent Standards of Practice – Suellyn Masek, chair

1) Nursing Practice Advisory Group, May 12, 2011

- Seven groups assigned, each to a different Interpretive Statement to draft documents for a presentation at future business meetings. Draft documents due July 25, 2011
- The sub-committee had their first meeting on May 12, 2011.

7. 2011 - 2013 Draft Budget – Terry West- DISCUSSION/ACTION

A. Ms. West presents the budget for the 2011 - 2013 biennium. According to RCW 18.79.390,

- (b) Consistent with the budgeting and accounting act:
 - (i) With regard to budget for the remainder of the 2007-2009 biennium, the commission has authority to spend the remaining funds allocated with respect to advanced registered nurses, registered nurses, and licensed practical nurses regulated under this chapter; and
 - (ii) Beginning with the 2009-2011 biennium, the commission is responsible for proposing its own biennial budget which the secretary must submit to the office of financial management;
- (c) That, prior to adopting credentialing fees under RCW [43.70.250](#), the secretary shall collaborate with the commission to determine the appropriate fees necessary to support the activities of the commission;
 - o Ms. West reviewed the prior budget allotments, spending, and staffing status to forecast future budget spending for 2011-2013.

10. Washington State/British Columbia Economic Trade Development Agreement – Review of licensure requirements for Washington State nurses and British Columbia nurses – Marge Herzog - DISCUSSION/ACTION

Ms. Meyer presented the draft report to the NCQAC. In addition to comparing the Washington state nursing and British Columbia nursing requirements, Ms. Meyer compared regulations for licensure applications among the northern border states. Outcomes and recommendations for change were presented.

- Recommendations
 - o Canadian Provinces that are associate members of NCSBN be allowed to contribute data to NurSYS.
 - o The NCSBN Board of Directors adopted to explore this recommendation
- Ms. Meyer requested feedback from the NCQAC by May 31, 2011 on the draft report.

11. Legal Service Unit update – Trent Kelly - DISCUSSION/ACTION

Mr. Karl Hoehn updated the NCQAC on cases in the disposition phase and changes in the Legal Service Unit.

- Mr. Kelly changed positions – he is Deputy Director of the Investigations and Inspection Office in HSQA.
- Marc Defreyn is returning to the Department of Health as a supervising staff attorney.
- ILRS allows ease with in-depth reports.
- Increase in staff brought reduction of caseloads.
 - 122 cases in legal review
 - 90 case disposition phase
 - 46 cases in adjudication
 - 31 cases in backlog (over 140 days)
 - 11 cases over aged

12. Sanctioning Standards and Sanctioning Rules – Karl Hoehn - DISCUSSION/ACTION

Mr. Hoehn reviewed the Nursing Sanctioning Standards and the Secretary Sanction Rules. Mr. Hoehn reviewed using both tools to determine appropriate sanctions for nursing cases.

- Three sources for guidance which ensure orders are within the HSQA Performance Measures
 - Secretary Sanction Rules
 - Focus on the duration of the Order
 - Does not cover moral turpitude or compliance with previous Orders
 - Nursing Sanctioning Standards - policy
 - Covers moral turpitude and compliance
 - Posted on Health Law Judge's Web site
 - Substance Abuse Order Policy
 - Has a provision for Nurses that have been to WHPS
- Division performance measures have been met by 92%

13. Retired Volunteer Medical Worker – Susan Gragg - DISCUSSION/ACTION

In 2006, House Bill 1850 created the retired volunteer medical worker license. Ms. Gragg presented the requirements for this licensure.

- Hold an active Washington State license within 10 years prior to application
- No restrictions on ability to obtain an active license
- Be registered as a volunteer with a local organization for emergency services or management.

14. Nursing Assistant, Certified, NCQAC responsibilities – Margaret Kelly, Kendra Pitzler-DISCUSSION/ACTION

A. Competency Evaluation – contract approval

The Department of Social and Health Services (DSHS) is the primary party on the contract for the Nursing Assistant, Certified. The NCQAC is responsible for determining the competency evaluation according to RCW 18.88A.090. Ms. Kelly is the NCQAC representative working with DSHS personnel on the contract for competency evaluation.

MOTION: Motion from NAPAP with a second that the NCQAC delegate to NAPAP the authority to make decisions with DSHS, on behalf of the NCQAC, to approve the vendor for competency evaluations. Motion passed.

B. NAPAP (Nursing Assistant Program Approval Process) procedure revisions

Ms. Kelly requested revisions to the NA-PAP procedure to allow delegation to the panel to approve the competency evaluation.

MOTION: Motion from NAPAP with a second to adopt the policy as amended. Motion passed.

MOTION: Motion from NAPAP with a second from Ms. Batch that the vendor for the competency based test for the NAPAP program be Pearson Vue. Motion passed.

15. Nursing Commission Newsletter – update and transition – Terry West - DISCUSSION/ACTION

Ms. West updated the NCQAC on the contract to produce the Nursing Commission newsletter.

Ms. West has been the chief editor for the newsletter. Ms. West outlines the rationale and a plan to transition these responsibilities to the Nursing Education Advisor. Ms. West also presents a plan for articles to be completed in future issues.

- Publisher will not have to go through the Department of Printing
- Agreed to send to major employers and not to individual nurses
- At the end of the contract will enter into a Memorandum of Understanding
- Responsibilities for the Newsletter will be transferred to the Nursing Education Advisor
 - Subcommittees will submit a plan on what type of articles will be in the newsletter
 - The subcommittee chairs will be responsible for making article assignments
 - Dr. Woods would like an evaluation on the effectiveness of the process in a year.

MOTION: Motion by Mr. Hagens with a second from Ms. Yockey that the process of compiling articles for the newsletter be transferred to the Nursing Education Advisor with a friendly amendment that there will be an evaluation of the process changes in one year. Motion passed.

16. Discussion Items – Paula Meyer, Chuck Cumiskey - DISCUSSION/ACTION

Discussion Items is a standing agenda item to review issues presented to the NCQAC. Under the nursing law and the Uniform Disciplinary Act (UDA), the NCQAC may consider forming advisory opinions, interpretive statements, or declaratory orders. Since this is a discretionary action of the NCQAC, the NCQAC determines the priority and urgency of the issues and the availability of resources to complete work on these issues. The NCQAC discussed if this standing agenda item continues to be relevant since the Consistent Standards of Practice subcommittee adopted the procedure on review of issues.

MOTION: Motion by Dr. Personett with a second by Mr. Hagens that the Discussion Items be removed from the agenda as a standing agenda item. Motion passed.

18. Adjourned at 4:30 p.m.