



**Nursing Care Quality Assurance Commission (NCQAC)
Licensing and Disciplinary Subcommittee
Special Meeting
February 25, 2013
Telephone Conference Call
4:00PM**

Sub-Committee Members: Margaret Kelly, Chair; Cass Tang; Lois Hoell, Susan Wong

DOH Staff /Guest: Mary Dale, Teresa Corrado, Miranda Bayne, Catherine Woodard, Margaret Holm

Call to order Digital recording announcement

Roll call

1. January Minutes - Margaret

Minutes from the 1/28/13 meeting were reviewed and corrections made.

DECISION: The minutes will go to the March 8 NCQAC meeting for approval.

2. Practice on an Expired License – Lois/Susan

DISCUSSION: Susan and Lois were tasked with reviewing the information gathered on this topic and bringing a recommendation to the subcommittee. They presented their proposal, which included a Notice of Correction (NOC) if practicing without a license over 30 days, SOC if over 3 years. They suggested fines and continuing education along with the NOC. Staff advised that we cannot issue any sanctions unless there is a charging document (Statement of Allegations or Statement of Charges).

DECISION: Susan and Lois will reconsider their options, and Teresa Corrado will join them to include staff input.

3. Commission Strategic Plan – Margaret

DISCUSSION: The L&D strategic plan developed at the last meeting was reviewed. Four items were forwarded for the NCQAC strategic plan. They are: Substance Use and Abuse Team (SUAT II), Regulatory Action Pathway evaluation, Performance Measures, and amending the Sexual Misconduct Rule. Teresa will bring licensing goals to the next meeting.

4. Drug Testing for Nurses – Cass/Susan

DISCUSSION: No other states require drug testing for nurses. Employers have testing for cause, and some require random tests. Discussion points were developed by Cass, Susan, and Miranda.

- Constitutionality – this would violate this right.
- ADA Rights – a person cannot be discriminated against due to a disability.
- HIPAA Confidentiality – patient medical information protection.
- Practicality – could the NCQAC require testing? Fees would increase.
- Current Paradigm – NCQAC responds to complaints.
- Prevention – drug testing is a preventative measure.

5. Regulatory Action Pathway - Margaret

DISCUSSION: The subcommittee reviewed the tool that was developed for use at Case Disposition Panels.

DECISION: The tool was approved to go to the NCQAC meeting on March 8 for adoption.

6. Nurse Consultant Update – Margaret Holm

No monthly report.

7. Investigation Update – Catherine

DISCUSSION: Catherine gave her monthly report on the Investigation Unit. There are currently 166 open investigations. In the month of January, investigators completed 65 cases.

8. Work Plan - Margaret

DISCUSSION: The work plan was reviewed and updates were made.

Adjournment

5:29 p.m.