



**Nursing Care Quality Assurance Commission (NCQAC)
Discipline Sub-committee Minutes
March 24, 2015 3:30 pm to 5:30 pm
Town Center 2, Room 112
111 Israel Rd SE, Tumwater, WA 98501**

Committee Members: Gene Pingle, BSN-BC, CEN, RN, Chair
Lois Hoell, MS, MBA, RN
Tracy Rude, LPN
Cass Tang, PMP, Public Member

Absent: Margaret Kelly, LPN

Staff: Mary Dale, Discipline Manager
Karl Hoehn, Supervising Staff Attorney
Shari Kincy, AA3

Absent: Catherine Woodard, Associate Director of Discipline
Margaret Holm, Nurse Consultant

I. 3:35 pm Opening — Gene Pingle, Chair

- Call to order – digital recording announcement
- Roll call – Margaret Kelly was excused.
Margaret Holm was excused.
Catherine Woodard was excused.

II. January & February Minutes – Gene

DECISION: Both the January and February minutes were approved by the committee and will be placed in the May Nursing Commission Business meeting packet.

III. Nurse Licensure Compact (NLC) - Cass

Cass gave an update from the task force considering the Compact.

- Montana recently passed legislation adopting the NLC
- Paula would like a group to go to Montana and talk about their legislative process
- Some states still have some angst regarding the compact, particularly Alaska and Oregon

IV. Closure Letters – Gene

Mary took the suggestions from Lois and herself and sent them to Gail Yu. Gail had some suggestions:

- Replacing some of the language Mary added to read “below threshold means that if an allegation is true there is minimal risk or impact to public health, safety or welfare”

- She also suggested placing examples in the letter
- Karl suggested revisiting the thresholds

DECISION: The committee would like to place a couple of sample letters in the May sub-committee meeting packet to review for a decision. Do not include examples.

Gene asked to add verbal abuse and communication to the next agenda. Karl and Gene will develop a document.

V. Parameters for Compliance Writing - Margaret

Karl spoke with Margaret and will give the report in her absence.

There were only a few changes that Margaret noticed. The Committee then went over the recommendations from Cass.

DECISION: Karl will put the changes into final form and send it out. Mary will check with Paula to see if this document needs to go before the Commission at the May meeting. If it doesn't the sub-committee has approved the changes. If the document does not need to be approved, the sub-committee would still like it in the May business meeting packet as an FYI for the Commission members.

Karl will research cost recovery policies and report on them at the next meeting.

VI. Evaluation Prior to Licensure - Karl

The sub-committee reviewed the draft procedure with changes made by Karl after the last committee meeting.

- Lois suggested a change to the second sentence in the last paragraph of the purpose statement. The suggestion was to change "he or she" to "they"

DECISION: The sub-committee would like to present this to the Commission at the May meeting. Mary will place it on the agenda.

VII. Nurse Consultant Report – Margaret Holm

A report was sent out to the sub-committee.

Mary made a request to remove Margaret Holm from the sub-committee but include her in the annual report for Early Remediation. Margaret's supervisor, Debbie Carlson is an ad hoc member of the sub-committee per the new position description.

The sub-committee agreed to remove Margaret Holm from the sub-committee.

VIII. Disciplinary Actions when a nurse is incarcerated - Karl

Karl discussed some of the issues that arise when a nurse has signed a WHPS contract and then we are notified of a Federal criminal conviction. As long as they are complying with their WHPS contract, they are safe to practice. Should a nurse who is in prison be allowed to keep their license? Karl went over RCW 69.50.413. The legislature is very clear that if you are a health professional who is incarcerated, your license shall be suspended for the duration of the sentence. The Attorney General's office is supportive of a summary suspension if a nurse is convicted.

DECISION: The sub-committee would like to place this issue on their work plan. They feel that if a nurse is convicted, their license should be suspended.

Lois will work with Karl to do a re-write of the Substance Abuse policy or a new policy. This will be on the April agenda.

IX. Disciplinary Actions when a WA nurse is practicing in another state – Lois

Lois brought this to the sub-committee to get some clarification. There have been some cases of nurses under discipline in Washington working in another state, who are refusing to send in reports because they are not working in Washington. Karl confirmed

that if they do not submit reports, they are in non-compliance, and we can take action.

X. Commitment to Ongoing Regulatory Excellence (CORE) Focus Group – Mary

Mary went over the pieces of the report that are relative to how the Commission conducts discipline and investigations.

Mary noted that most of the recommendations are already in use here. She will create a list of best practices not done in Washington for the April meeting.

XI. Approved Evaluator –Mary

Mary brought an application for a potential evaluator to the sub-committee, Michael R. Oreskovich, MD. He comes with a great deal of high praise.

Mary and Karl went over the process for getting approved evaluators.

DECISION: The sub-committee agreed to approve the evaluator.

XII. Case Disposition Panels – Gene

Comments from the commission at the March NCQAC meeting were discussed. Several persons noted that an evening meeting is needed. There were multiple other comments regarding not being able to hear others rationale for cases, loss of peer group, discussion for guidance, concern that more orders are being rejected. Karl stated that they can call in and participate in the call and stay on after they have presented and listen to other cases. Gene will send the Commission an email reminding them of this.

XIII. Work Plan – Gene

- The investigative report will be in April
- Early Remediation Rule Change: Waiting for outcome of HSQA legislation
- Voluntary Surrender will be removed from the work plan
- Suspension of incarcerated nurses will be added to the work plan, whether in a new procedure or included in the Substance Abuse Policy

XIV. Closing: 5:38 p.m.