



**Nursing Care Quality Assurance Commission (NCQAC)
January 15, 2010 8:30am – 5:30pm
Business Meeting Minutes
Videoconference**

Commission Members:

Susan Wong, MBA, MPA, RN, Chair
Rhonda Taylor, MSN, RN, Vice-Chair
Linda Batch, LPN
Erica Benson-Hallock, MPPA, Public Member
Charlotte Coker, Public Member
William Hagens, MA, Public Member
Margaret Kelly, LPN
Darrell Owens, Ph.D., ARNP, ACHPN
Judith D. Personett, EdD, Certified Nurse
Administrator Advanced (CNA), RN
Gene I. Pingle, RN-BC, BSN
Jackie Rowe, RN
Diane Sanders, RN, BC, MN
Mariann Williams, MPH, MSN, RN, ARNP
Susan Woods, PhD, RN, FAHA, FAAN
Laura Yockey, LPN

Assistant Attorney General:

Gail Yu, Assistant Attorney General

Staff:

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

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

- Call to order – 8:34am
- Introductions – NCQAC members, staff, and members of the public introduced themselves.
- Order of the Agenda - accepted
- Correspondence – NCSBN information
- Announcements:
 - Washington Health Professional Services education
 - Training recording
 - Continuing Education credits available
 - Would like to present at the March 2010 NCQAC meeting
 - Opportunity for Fall 2010 Member Board Review from NCLEX/Pearson/VUE, October 12, 2010

- Contact Ms. Meyer or Ms. West if you are a commission member and want to view a testing site. Susan Wong, Rhonda Taylor, and Laura Yockey request the visit to a testing site.

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
2. NCQAC Disciplinary Hearing minutes
3. Continuing Competency
 - a. No minutes submitted
4. Licensing and Discipline sub-committee
5. Nursing Program Approval Panel (NPAP)
6. Licensing reports
7. Office of Financial Management Directive

MOTION: Ms. Rowe moved with a second from Ms. Yockey to accept the consent agenda.

3. Chair Report –Susan Wong- DISCUSSION/ACTION

A. Nominations Committee

Ms. Wong appointed Mr. Hagens, Dr. Woods, and Ms. Williams to the Nominations Committee. The committee presents nominees for the chair and vice chair positions at the March 2010 meeting.

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

A. Nursing Commission Unit Accomplishments – Paula Meyer

Ms. Meyer summarized accomplishments for the past year. Ms. Meyer introduced and recognized staff for their accomplishments and contributions.

B. Decision Packages – Paula Meyer

Ms. Meyer updated the NCQAC on their decision packages submitted to the Office of Financial Management.

- All four decision packages were adopted in the Governor’s budget, book 1, and book 2.

C. Joint Legislative Audit and Review Committee (JLARC) – Health Professions Disciplinary Activities Workload Model Review – Paula Meyer

The report from Health Systems Quality Assurance was presented to the JLARC on December 7.

There were two recommendations.

- NCQAC and Medical Quality Assurance Commission use of the Disciplinary Activities Workload model. The workload model was used to predict staff needed in the Disciplinary decision package.
- Develop a mechanism to track compliance with the model.

D. Investigations report – Sandra Prideaux

Ms. Prideaux presented progress information on the backlog of cases, current caseloads, number of unique closures and trends in investigations of nursing cases for fiscal year 2007-2009. Some of the changes made by the NCQAC contributing to decreased number of investigations include:

- Revised the criteria for below threshold cases
- Developed and started the Early Remediation Program
- Began tracking information on the performance measures regarding case disposition

E. Five year plan – Paula Meyer

The 1103 pilot project began on July 1, 2008, and will conclude on June 30, 2013. Ms. Meyer presented goals guiding work through the remainder of the pilot project and accomplishments to date.

- Scanning/imaging – delayed
 - The department is looking at an enterprise system for the entire department that would be compatible with all divisions.
- Ms. Meyer and Ms. West will develop a Decision Package with a feasibility study and an action plan.
- On track for all other goals.

F. Commission member vacancies – Paula Meyer

In June, several members' will complete their terms. Ms. Meyer reviewed the qualifications for members and discussed recruitment. Applications should be submitted by April 2010.

Four members' terms will expire in June 2010

- Public member
- LPN member
- RN member giving direct patient care
- ARNP member
- If anyone is interested, please refer to the Governor's web site or the NCQAC web site for applications.

G. Finger printing process and FBI Criminal Background Checks – Terry West

The NCQAC and Health Systems Quality Assurance began using FBI fingerprinting on all applicants with out of state addresses. Ms. West provided an update and review of the first year.

- FBI fingerprint background checks are required for all nurses applying for WA licensure with an out of state address.
- Cards sent electronically to the State Patrol office reduce the time needed to license out of state nurses.

5. 9:30 am Rules Hearing – Terry West - DISCUSSION/ACTION

- Temporary Practice Permits, Amending WAC 246-840-095, CR 102 WSR were filed November 16, 2009.
- Presiding officer – Susan Wong, Chair of NCQAC
- Administrative Procedure Act – Chapter 34.05 RCW
- Solicit comments for amendments to WAC 246-840-095 – filed as WSR 09-23-084
- All Commission members were present
 - No questions
 - No public testimony
 - No written testimony

MOTION: Motion by Mr. Pingle with a second from Ms. Sanders to adopt the rules as proposed. Motion passed.

- Rules effective 31 days after filing CR 103
- Hearing adjourned at 9:35am

6. Subcommittee Reports – DISCUSSION/ACTION

A. Licensing and Discipline –William Hagens, Chair

1. Early Remediation Program and Rules Update
 - Workshops were held on November 5, 2009 and December 18, 2009 – there was no opposition to providing a mechanism for early remediation in lieu of discipline in selected cases.
 - The rules hearing will be in March or May
 - Staff is tracking criteria for evaluating the process
2. Electronic Certificate of Completion
 - At the end of the academic year, deans and directors submit a Certificate of Completion to the NCQAC office. The Certificate lists all graduates from the nursing program who will receive a degree in nursing. Staff review the nursing students' applications and if all criteria are met, the applicants are made eligible to take the NCLEX examination. Otherwise, the students would not be eligible to take the examination until transcripts are received from the schools, colleges, and universities. To expedite the reporting process for program completion, one form with the names of all students during the reporting period will be used by each school instead of individual forms for each student. The Certificate will be sent to the licensing manager electronically rather than by postal service. This will save time, postage, and paper.
3. Strategic Plan
 - Ms. Kelley and Ms. Dale will work on the performance measures identified in the plan, A report will be available in March 2010.

B. Continuing Competency – Dr. Judith Personett, Chair - DISCUSSION/ACTION

- Target start date to adopt the rules and begin education is this year, 2010
- Target date to begin auditing for compliance is 2013.

7. Operating Agreement – Paula Meyer - DISCUSSION/ACTION

The NCQAC delegated to the steering committee work to be completed on the Joint Operating Agreement between the NCQAC and the Department of Health. Lois Speelman, assistant secretary, Financial Services, and Kathy Deuel, assistant secretary, Human Resources, provided comments. The steering committee presented comments and recommendations for the Joint Operating Agreement and next steps.

- Met with Karen Jensen who has been delegated negotiating authority by Secretary Selecky.
- Ms. Meyer and Ms. Jensen will meet again.
- Ms. Taylor summarized the meeting. The steering committee negotiated and accepted the language on several points. Remaining points to negotiate include the transfer of personnel if performance measures are not met.
- Ms. Meyer stated the goal is to have the document finalized by the NCQAC meeting in March 2010.

8. Budget – Terry West - DISCUSSION/ACTION

Ms. West presented current budget documents and reviewed reports beginning with July 2008 and percent of costs for:

- Public Disclosure charges
- Customer Service charges
- Revenue

9. Customer Service Office –Paula Meyer, Terry West - DISCUSSION/ACTION

At the November 13, 2009, meeting, Shannon Marshall and Joel Emery presented cost allocation and budget information for the Customer Service Office (CSO). The NCQAC discussed the 09-11 budget and recommendations from the steering committee related to Customer Service Office components, services, staffing, and budget.

Primary concerns of the NCQAC:

- Consistent overspending in the CSO.
- Continued over spending.
- Unable to access timely and accurate budget reports.
- Double assessment of indirect charge for the offices of the Secretary and Assistant Secretary.

Recommendations:

- Audit of all financial and workload of the CSO to be completed by January 31, 2010
- Transfer all services provided by the CSO to the management of the Executive Director of the NCQAC by February 28, 2010.

MOTION: Motion by Ms. Rowe with a second by Mr. Pingle that all services of the Customer Service Office be transferred to the authority of the Executive Director of the NCQAC by February 28, 2010. An audit of the CSO to be completed by January 31, 2010, including equipment, work in the unit, and personnel. Motion passed.

10. 11:00 AM – No Executive Session

11:30 – 1:00 PM LUNCH

11. 1:00 PM – OPEN MICROPHONE

Open microphone is for public presentation of issues to the NCQAC.

- Sally Watkins, Washington State Nursing Association announced their Continuing Education program will be on line, possibly by the end of February 2010.
- Sejal Graber gave the NCQAC information regarding some of the difficulties she experienced meeting the requirements of WAC 246-840-340(1) (b).

12. Master Plan for Nursing Education, Implementation Plan – Linda Tieman, Washington Center for Nursing (WCN) - DISCUSSION/ACTION

According to RCW 18.79.202, the Center for Nursing “evaluates the effectiveness of nursing education and articulation among nursing education programs and enhances career mobility, especially for populations that are underrepresented in the nursing profession.” The NCQAC’s contract with the Center for Nursing required an Implementation Plan by December 31, 2009 and annual reports to the NCQAC.

Ms. Tieman presented the implementation plan and an annual report from the Center for Nursing.

- The licensing surcharge provides 90% of income for the Center.
- WCN had a clean financial audit.
- Next year the focus will be on increasing diversity of nursing faculty and students.

13. Nursing Assistants (NA) – Paula Meyer, Kendra Pitzler - DISCUSSION/ACTION

- A. Ms. Pitzler evaluates nursing assistant training programs for compliance with regulations.**

Ms. Pitzler presented a draft policy to the NCQAC defining the process for approval of NA programs by the Nursing Program Approval Panels (NPAP).

- The Department of Social and Health Services (DSHS) reviews NA training programs to ensure that they meet federal standards for nursing homes.
- DSHS checks instructor applications.
- There are between 170 – 190 programs. Ms. Pitzler will update the NCQAC every quarter.

MOTION: Motion from Ms. Rowe with a second from Ms. Yockey to adopt the Nursing Assistant Training Approval Program procedure. Motion passed.

B. According to 18.88A.060, the NCQAC determines minimum education and approves training programs for nursing assistants.

Members of Washington Health Care Association (WHCA) are interested in pursuing electronic education systems for nursing assistants.

- The Oregon online course is used as an adjunct to current traditional courses.
- Ms. Yockey and Ms. Rowe are interested in participating in a work group to analyze current information.

WHCA presented an interest in medication technicians to pass medications in nursing homes similar to Oregon's model.

- Ms. Batch, Ms. Taylor, and Ms. Kelley are interested in participating in a work group.

14. Interpretive Statements, Advisory Opinions – Chuck Cumiskey – DISCUSSION/ACTION

Each January, the NCQAC reviews existing interpretive statements and advisory opinions. According to Procedure F01.01, the NCQAC may renew, revise, or rescind statements. Members of the NCQAC work group reviewed statements and recommended actions. The work group consisted of Ms. Kelley, Mr. Pingle, and Ms. Yockey.

Interpretative Statements are referenced or supported by organizational policy and procedure to further protect the patient. The plan is to seek content experts that will help with the revisions.

Recommendations:

- Renew the current Interpretative Statements for another year.
- Revise all the Interpretative Statements over the next 12-24 months; use a consistent format for policy statements and incorporate the Scope of Practice (decision tree), concepts of Critical Reasoning, and Evidenced Based Practice into our Interpretative Statements.

MOTION: Motion from Ms. Kelley with a second from Mr. Pingle to revise the Interpretative Statements over the next 12 to 24 months, use a consistent format, incorporate the scope of practice decision tree, critical reasoning and evidence based practice into the Interpretative Statements.

Friendly Amendment: Motion by Ms. Taylor with a second from Ms. Yockey to accept the renewal of the Interpretative Statements as listed in the packet (informational materials) for 12 months and authorize the committee to review all the statements listed on the web site and put them in a consistent format. The motion and friendly amendment were rescinded.

MOTION: Motion from Ms. Taylor with a second from Ms. Yockey to accept the Interpretative Statements in the packet for 1 year. Motion passed.

MOTION: Motion from Ms. Rowe with a second from Ms. Yockey to revise the Interpretative Statements listed on the web site and put them in a consistent format within the next 24 months. Motion passed.

15. HEAL-WA fees – Dr. Susan Woods, Dr. Darrell Owens, Paula Meyer - DISCUSSION/ACTION

Because of stakeholder work on the NCQAC decision packages, Dr. Woods, Dr. Owens, and Ms. Meyer met with representatives of the HEAL-WA on-line resource. The NCQAC will receive a report from the meeting with HEAL-WA representatives.

- People are not satisfied with the HEAL-WA web page or the fees assessed for the web portal.
 - Some of the issues from 6 months ago have been corrected.
 - Valerie Lawrence agreed to consult with CNEWS directors and show them how to effectively access the portal.
 - 3.5% of Washington State nurses use the HEAL-WA portal.

At the November NCQAC meeting, the NCQAC moved to send a letter from Susan Wong responding to a memo from Karen Jensen, Assistant Secretary, Health Systems Quality Assurance, listing concerns raised by stakeholders regarding the fee assessed to support HEAL-WA.

- HB 1611 was introduced to change the language for RNs – replace “up to \$25” with “up to \$5.”

16. NCQAC Newsletter – Terry West - DISCUSSION/ACTION

Ms. West reviews a list of potential topics and makes assignments for the 8th edition of the NCQAC Newsletter.

- Task Force members: Dr. Woods, Ms. Yockey, Ms. Coker.
- January newsletter complete, being mailed to nurses and on the nursing web page.
- Ms. West requested a recent picture from the NCQAC members.

17. Delegation to Health Law Judges – Paula Meyer – DISCUSSION/ACTION

In June 2008, the Uniform Disciplinary Act changed and created the NCQAC pilot project. The delegation forms currently in place identify an incorrect citation and need to be modified. The NCQAC will be asked to correct their delegation documents.

- This item is deferred to the March meeting.

18. National Council of State Boards of Nursing Award Nominations– Bill Hagens - DISCUSSION/ACTION

The NCSBN recognizes state boards, members, and staff through its Annual Awards ceremony at the Annual meetings. Dr. Susan Woods serves as a member of the Awards committee. Mr. Hagen generously devoted time to completing the nominations in 2009. Mr. Hagens requested nominations from the NCQAC for 2010 awards.

- Exceptional Contribution Award nomination – Jackie Rowe
- Distinguished Achievement Award nomination – Adena Nolet
- Mr. Hagens and Ms. Kelley will explore avenues to recognize staff in addition to the NCSBN awards.

MOTION: Mr. Hagens moved with a second from Ms. Taylor to accept the nominations for the NCSBN Annual Award. Motion passed.

19. Discussion Items – Paula Meyer - 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. Ms. Meyer presented a work plan and outlined the purpose of each task force.

1. School Nursing – Dr. Personett, Mr. Hagens, and Ms. Williams
 2. LPN role – Ms. Batch, Ms. Rowe, and Ms. Yockey
 3. Mutual State Recognition of Licenses – Ms. Sanders and Mr. Pingle
- Need to finalize dates, locations, agendas, and resources of meetings,
 - Add Continuing Competency information to the task force meetings.
 - Meetings will be scheduled in March, April, May June and July
 - Gather, analyze issues, and report to the NCQAC to determine actions.

20. Legislative Task Force – Paula Meyer - DISCUSSION/ACTION

Members of the NCQAC legislative task force were confirmed. Regularly scheduled conference calls will be every Tuesday.

- Legislative Task Force members: Ms. Wong, Chair, Ms. Taylor, Vice-Chair, Ms. Meyer, Executive Director, Mr. Owens, Ms. Coker, Ms. Personett, Ms. Batch, Ms. Sanders.

Meeting adjourned at 3:50