



**Nursing Care Quality Assurance Commission (NCQAC)
Special Meeting Minutes
July 9, 2010 8:30am – 5:00pm
Business Meeting
Point Plaza East, Room 152/153
310 Israel Road
Tumwater WA 98504-7864**

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
Diane Sanders, RN, BC, MN
Susan Woods, PhD, RN, FAHA, FAAN
Laura Yockey, LPN
Susana Serna, ARNP

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
Mary Dale, Discipline Manager
Sam Prideaux, Chief Investigator
Trent Kelly, Staff Attorney
Chuck Cumiskey, BSN, MBA, RN, Nursing Practice Advisor
Terry West, Health Services Consultant
H. Louise Lloyd, Secretary

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

- Meeting called to order at 8:30AM
- Introductions – new members, reappointments, pro tem members, staff and members of the public
- Order of the Agenda - approved
- Correspondence - none
- Announcements
 - The Department of Health announced the Board and Commission Leadership Meeting, scheduled for October 4, 2010. The Chair and Vice Chair of each board and commission attend the meeting. The meeting will be held via videoconference.
 - Members of the NCQAC received the second edition of the Journal of Nursing Regulation.

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 sub-committee – meeting cancelled
4. Licensing and Discipline sub-committee
5. Nursing Program Approval Panel (NPAP)
6. Licensing, investigation reports
7. National Council of State Boards of Nursing (NCSBN) Information Technology Summit – Cambridge MA – Terry West
8. NCSBN Investigator/Attorney Summit – Santa Monica CA – Sandra Prideaux, Trent Kelly

MOTION: Motion by Mr. Hagens with a second from Ms. Batch to adopt the consent agenda. Motion passed.

3. Chair Report –Susan Wong- DISCUSSION/ACTION

A. New officers take their place

- Susan Wong, Chair, Rhonda Taylor, Vice chair

B. July 7, University of Washington Medical Center presentation to the Patient Leadership Team

- Earlier this year, Ms. Meyer and Dr. Woods met with the group who asked for a return to discuss the disciplinary process and Continued Competency. Susan Wong, Dr. Woods, and Dr. Personett presented.
 - Disciplinary process – small group used actual completed cases to review and recommend disposition
 - Continuing Competency – Dr. Personett presented an update.

C. Appointment of leaders for sub-committees and charging panels, sub-committee and membership on panels

1. NPAP (a) - Rhonda Taylor, Chair
2. NPAP (b) - Sue Woods, Chair
3. Charging Panel Chairs: Erica Benson-Hallock, Judith Personett, Diane Sanders, Rhonda Taylor
4. Licensing & Discipline - Bill Hagens, Chair
5. Continued Competency - Judith Personett, Chair
6. Early Remediation Panel: Darrell Owens, ARNP, Marge Herzog, RN, Linda Batch, LPN, and Bill Hagens, Public Member

D. NCQAC member and staff recognition awards – Bill Hagens

- Dr. Woods, Ms. Kelly, and Mr. Hagens agreed to be on the nominations committee for NCQAC.
- They will look at combining the nomination process for NCSBN with NCQAC nominations for recognition.

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

A. E2SHB 2617 Restrictions on use of Private facilities and Payment of Member Travel Expenses – Memo from Marty Brown, director, Office of Financial Management

- NCQAC is a class 5 board with the highest level of regulatory responsibility in our state.

- The NCQAC expenditures are fully supported by licensing fees. E2SHB 2617 encourages all fee supported boards and commission to reduce travel, lodging, and other costs and produce a cost report for 2008, 2009 and 2010. The report will capture information from the past year including the reduction in spending as a result of using videoconferencing for business meetings. The secondary benefits to using videoconferencing are the decreased staff resources needed to prepare for meetings and follow-up after meetings. This allows staff to work on other essentials such as archiving records.

B. Commission pay report for July 1, 2008 through June 30, 2010

- Total expenditures for the last year showed a reduction by approximately \$24,000.
 - Video conferencing of business meetings increased efficiencies and reduced expenditures.
 - The largest expenditures remain consistent in the past two years: review of disciplinary cases and NCQAC business meetings.

C. Board Pay worksheet –worksheet revisions and directions

- The revised board pay form includes new sub-committees and panels. When completing the form, the “Description” column must include
 - The file name and case number when using the Reviewing Commission Members on Disciplinary Cases column
 - The name of the Task Force when that column is used
- When the column for “Requires approval by ED” a copy of the email from Ms. Meyer approving the event must be attached. Provide a brief description of the event in the description column.

D. Update on new staff and staffing

- As a result of the decision packages being fully approved, there will be 13 new staff members.
- Position Descriptions drafted and are in the approval process.
- Approval to fill two customer service specialist positions was received.

E. Update on legislation implementation – ESSB 6582 and ESSB 2876

- 6582 – Home Health Care Aides and Medical Assistants
 - 24 hours of other training which includes clinical
 - Competency Evaluation
 - First rules workshop on July 23
 - Second rules workshop on August 23
- 2876 – Pain Management
 - Dr. Owens and Ms. Williams are representatives for NCQAC on the five board workgroup
 - Terms (definitions) were defined
 - Standards were defined

F. Washington Center for Nursing Audit

- Audit showed a \$22,000 software error
- This error has been corrected
- A procedure describing funds transfer and use of electronic fund transfer is being used.

5. Subcommittee Reports –

A. Licensing and Discipline –William Hagens, Chair - DISCUSSION/ACTION

- Performance Measures – will go into more detail later in the meeting
- Early Remediation Program – 6 out of 7 cases closed because of lack of information

- Expired Licenses for Nurse Practitioners
Procedure B11.01 Advanced Registered Nurse Practitioner (ARNP) license with Expired Registered Nurse License or National Certification describes licensing actions by the NCQAC to comply with the licensing rules.

MOTION: Motion with a second from the subcommittee to adopt procedure B11.01 Advanced Registered Nurse Practitioner (ARNP) License with Expired Registered Nurse License, or National Certification. Motion passed.

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

- Rules hearing – anticipate rules hearing in September 2010
- Implementation:
 - Anticipate implementation January 2011
 - Continuing to look at active practice requirements and publish an article in an upcoming newsletter
 - Feedback on the continuing competency requirements from meetings across the state is positive.

6. Budget – Terry West - DISCUSSION/ACTION

- Ms. West presented current budget documents and reviewed spending plans.
 - To support .75 of a full time position in Washington Health Professional Services (WHPS), spending reductions in the following line items occurred:
 - staff salaries, printing, travel and training
 - Renewals, refunds and license verifications will transfer to the NCQAC unit effective August 1, 2010
 - Ms. West reviewed the fee study and the hearing date for fees and the process for assessing \$31.00 increase in application and renewal fees.
 - Rules hearing August 14, 2010 and effective date of new fees will be September 16, 2010.
 - The NCQAC requested that the Nurse Tech fee be lowered.
- Ms. West presented state budget impacts.
- NCQAC members requested consistent use of cost recovery when Stipulations to Informal Discipline are used. Ms. West reviewed the Uniform Disciplinary Act (UDA) language on cost recovery, the NCQAC disciplinary worksheet requesting cost recovery, the limits and advantages to using cost recovery.
 - If the case goes to hearing, there is no request for cost recovery per the UDA.
 - The UDA stipulates the maximum that can be assessed.

MOTION: Motion from Dr. Personett with a second from Ms. Coker to re-evaluate the HEAL-WA fee and present a report to the NCQAC no later than January 2011. Motion passed.

MOTION: Motion from Ms. Benson-Hallock with a second from Dr. Woods to amend renewal notices to include the breakdown of fee utilization, links to HEAL-WA and Washington Center for Nursing sites and to add the words “as required by law.” Motion passed.

7. Out of State Travel Plan – Paula Meyer - DISCUSSION/ACTION

A third party must pay all expenses for out of state travel. If there are any expenses from licensing fees, an exemption from the Office of Financial Management must be received prior to travel arrangements, including hotel and flight reservations.

A. NCSBN annual meeting – The following will attend with all expenses paid by NCSBN:

- Ms. Wong as Chair, and delegate
- Ms. Meyer as a member of NCSBN Leadership Succession and as the ED, a delegate
- Dr. Woods, as a member of the NCSBN Awards Committee

- Ms. Kelly, who will use the second waiver
- Ms. Claar-Rice as a member of the NCLEX committee

B. NCSBN APRN Summit – Fall 2010 – NCSBN will fund three individuals, one individual with legislative responsibilities. Dr. Owens and Ms. Serna as ARNPs plus the new ARNP Nurse Consultant are recommended to attend.

8. NCSBN Annual Meeting - Paula Meyer - DISCUSSION/ACTION

NCQAC reviews the recommendations from the NCSBN board of directors. The NCQAC discussed the recommendations and advised the delegates.

- Delegates are Ms. Meyer and Ms. Wong

MOTION: Ms. Coker moved with a second by Dr. Personett that the delegates go forward without instructions. Motion carried.

9. Operating Agreement – Paula Meyer - DISCUSSION/ACTION

- The Secretary of the Department of Health (DOH) has an operating Agreement with all boards and commissions which describes the services DOH will provide
- The NCQAC Agreement has been sent to the Secretary.

Recommendation: Ms. Meyer requested a Steering Committee retreat to finalize the strategic plan and goals for the NCQAC through the end of the pilot project, June 30, 2013.

MOTION: Motion by Mr. Hagens with a second by Mr. Pingle to allow the Steering Committee a retreat for 1/2 day.

10. Consistent Standards of Practice Sub-Committee – Chuck Cumiskey - DISCUSSION/ACTION

- The intent is to submit the plan and recommendation at the September 2010 meeting.

MOTION: Motion by Mr. Hagens with a second from Ms. Yockey to establish the members for the Consistent Standards Sub-Committee.

A. Position Description for Sub-Committee

- Draft submitted

B. Procedure

- Policy 19.001- Filing Policy and Interpretative Statements, is being revised to reflect current DOH procedures
- Submitted draft – Development, Rescinding, and Archiving Interpretative statements, Advisory Opinions, Policy Statement and Declaratory Orders – this policy needs revisions

C. Leader and staff for Sub-Committee

- Chair - Margaret Kelly
- Staff - Teresa Corrado
- Sub-committee members
 - Dr. Owens
 - Ms. Masek
 - Mr. Hagens

D. Advisory Group Members

Nurses recognized as experts will be chosen to work on interpretive statements. The advisory group members will work as volunteers and provide current practice standards to the sub-committee members. The sub-committee members draft the statements to be presented to the NCQAC.

11. Nursing Commission Newsletter – Terry West - DISCUSSION/ACTION

Due to a new interpretation of the bid process, the July issue of the Nursing Commission Newsletter has not been printed. Ms. West and Ms. Meyer will continue to meet to review the contract with the current publishers, PCI, Inc. Options to meet the current contract and release of addresses for the publication will be explored.

The next printed issue of the Nursing Commission Newsletter will be in January 2011. The NCQAC discussed the theme and potential articles for the upcoming issue.

- Articles are due by September 24, 2010 – Ms. West will contact with assignments
- The task force will edit and prioritize
- Two options are available for the newsletter
 1. Wait for bid process to have it hard copy printed
 2. E web with a link to PSI publishing

MOTION: Motion by Dr. Personett with a second by Dr. Woods to keep the newsletter hard copy and insert a survey to find out how the readers would like it presented.

12. Recognition and Endorsement of Psychiatric Clinical Specialist Certification and Education as Advanced Registered Nurse Practitioners – Teresa Corrado - DISCUSSION/ACTION

Psychiatric Clinical Nurse Specialists (CNS) were previously recognized and licensed as Advanced Registered Nurse Practitioners (ARNPs) in Washington State. After a review of the current rules, recognition of equivalence and ability to license psychiatric clinical specialists as ARNPs was unintentionally excluded. The NCQAC will discuss a potential exemption for the psychiatric clinical nurse specialists and revision of current rules.

MOTION: Motion from Mr. Hagens with a second from Ms. Taylor to allow licensure of the five pending applicants and to open the rules for an expedited rule revision to allow inclusion of this type of applicant.

13. 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 reviewed issues and determined the following three to be priorities.

1. School Nursing
2. LPN role
3. Mutual State Recognition of Licenses

The issues, and continuing competency updates, were reviewed at community meetings held throughout the state. Mr. Cumiskey will share outcomes of the community meetings.

- Approximately 15 meetings were scheduled and attended throughout the state.
- Information will be presented at the November 2010 meeting.

14. 11:00 AM - Executive Session if needed

The Executive Session is that part of a regular or special meeting closed to the public.

The NCQAC entered Executive Session at 11:26 to discuss with their AAG, who is legal counsel to the NCQAC, matters relating to enforcement actions or litigation or potential litigation. The executive session ended at 11:57.

11:30 – 1:00 PM LUNCH

15. 1:00 PM – OPEN MICROPHONE

- Heather Schoonover – Requested title protection for the Clinical Nurse Specialist (CNS) roles as advanced practice registered nurses
- Sally Watkins – supported title protection for the CNS roles as advanced practice registered nurses
- Susan Wong, Chair, recognized past NCQAC member Jackie Rowe and Adena Nolet, staff, for their commitment and contributions to the NCQAC.

1:30 – 2:30 Education on Substance Use by Professionals and the Washington Health Professional Services (WHPS)

Education for all NCQAC and pro tem members, investigators, staff attorneys and assistant attorneys general is being designed. Continuing education credits for nurses and legal staff for the training will be pursued. The NCQAC members, WHPS staff, investigators, staff attorneys and Assistant Attorneys General completed small group work on case issues needing clarification.

2:30 – 2:45 Break

2:45 – 3:00 Travel and Expense Management System (TEMS) – H Louise Lloyd and Shari Kincy

The state of Washington is moving to an electronic itinerary system for all travel completed by state employees. NCQAC members will also use the system for their travel related expenses. Ms. Lloyd and Ms. Kincy reviewed the access to and use of the TEMS system.

- Travel and travel payments will be electronic beginning July 1, 2010.
- The Operations support staff will be available to assist members with submitting travel
 - Members can schedule specific times with staff when requesting assistance.

3:00 – 3:30 On-line Transaction HEALTH MAP – Sam Marshall

A goal of the NCQAC is to become 'paperless' including licensing, renewals, disciplinary files and business meetings. Ms. Marshall gave the On-line Transaction HEALTH-MAP presentation to the senior leadership of the DOH. The presentation described the timeline and products for on-line transactions. Ms. Marshall gave the same presentation for the NCQAC.

3:30 – 4:30 Performance Measure – Health Systems Quality Assurance, Medical Quality Assurance Commission and Nursing Care Quality Assurance Commission.

HB 1103, now 18.79.390, states: (e) that the commission shall negotiate with the secretary to develop performance-based expectations, including identification of key performance measures. The performance expectations should focus on consistent, timely regulation of health care professionals.

Ms. Meyer presented the negotiated performance measures and reports. Data from the performance measures was used to support the requests for additional staff in the decision packages accepted by the Governor's office and the 2010 legislature. Formulas used in the decision packages and the Workload Staffing Model was shared.

4:30 – 5:00 NCQAC, Department of Social and Health Services (DSHS) and Secretary of Health authority with Nursing Assistants – Paula Meyer

The Nursing Assistant program is regulated by three entities. Ms. Meyer presented the laws and rules guiding the authority of each entity:

- Secretary of Health
- Department of Social and Health Services
- NCQAC

CLOSING