



**Nursing Care Quality Assurance Commission (NCQAC)  
November 13 & 14, 2008  
Business Meeting Minutes  
Video Conference**

**Commission Members:**

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

**Pro Tem Members:**

Linda Wrynn	Peg Currie
Marge Herzog	Christine Henshaw
Lois Hoell	Sharon Parkman
Mindy Schaffner	Catherine Dodson
Helen Kuebel	Carolyn Nelson

**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  
Donna Rogers, Complaint Process Manager  
Adena Nolet, Compliance Officer  
Marc Defreyn Supervising Staff Attorney  
H. Louise Lloyd, Secretary  
Shari Kincy, Secretary

**Members Absent:**

William Hagens, MA, Public Member  
Erica Benson-Hallock, MPPA, Public Member

The NCQAC digitally records the workshop and business meeting. A CD of the recording are available by request at 360-236-4713. The workshop and meeting was held by videoconference at six sites:

**THURSDAY, November 13, 2008  
WORKSHOP**

**8:30 AM**      **Introductions:** Commission, staff, pro tems, new members and the audience introduced themselves.

**8:45 AM**      **Washington Health Professional Services (WHPS) - Jean Sullivan, RN, Director**  
Update of the WHPS program.

Jean Sullivan gave an overview of the program. The program objective is to create an alternative to discipline for health professionals with substance abuse problems.

The current enrollment in WHPS is 438 with 68 cases in development. There are 18 ARNPs, 53 LPNs, and 270 RNs. Almost 75% of the people enrolled in WHPS are nurses.

Because of inadequate staffing, a cap on new admissions was placed last spring but the support staff continued to gather data on new participants. The cap was lifted in July, 2008. There are three levels of contracts: Five year, two year and a level one category.

**ACTION:** Jean Sullivan, Susan Pierini of the AG office, Susan Wong, Jackie Rowe and Paula Meyer will meet to discuss current issues.

Dr. Woods reiterated that she volunteered to assist Ms. Sullivan in meetings with Office of Financial Management or meetings with legislative staff related to the WHPS decision package.

**10:00 AM**      **Break**

**10:15 AM**      **Discussion of Disciplinary Process From Beginning to End of Process.**  
Mary Dale, Disciplinary Manager, Sandra Prideaux, Chief Investigator, Jack Bucknell, Staff Attorney, Adena Nolet, Compliance Officer, and Susan Perini explained the process at each stage.

**11:45 AM**      **Food and Drug Administration - Jim Burkhardt, Senior Special Agent**  
**(working lunch)**  
Training and orientation on the Federal Anti-Tampering Act for NCQAC members, investigators, and staff attorneys was presented.

Mr. Burkhardt explained the Federal Anti-Tampering Act. Cases with drug tampering that involved health care practitioners ~~were discussed~~ were discussed. Actions needed by NCQAC members, investigators and legal staff for coordination of cases.

- 1:00 PM Performance Measures – Susan Ramsey, Director, Office of Performance and Accountability**  
 The history of Governmental Management Accountability Performance (GMAP), how to prepare performance measures to meet HB1103 requirements was discussed.
- Ms. Ramsey presented the history of GMAP. The group broke into discussion groups and ~~presented examples~~ presented examples of potential performance measures the NCQAC could use.
- 2:45 PM Break**
- 3:00 PM Center for Health Workforce Studies – Susan Skillman, MS, Deputy Director, Center for Health Workforce Studies and Rural Health Research Center, University of Washington**  
 Discussion of demographics, education, and practice characteristics of registered nurses in Washington State.
- 4:00 PM Adjourn**

**Friday November 14, 2008  
 BUSINESS MEETING**

**1. 8:30 AM Opening — Dr. Judith D. Personett, Chair**

- Call to order - 8:41
- Introductions - Staff, Commission, Pro tems and visitors were introduced at each site. New members, Margaret E. Kelly, LPN and Charlotte Coker, Public Member
- Order of the Agenda - A motion to accept the order of the agenda passed.
- Correspondence - no correspondence
- Announcements - no announcements

**2. Consent Agenda – DISCUSSION/ACTION**

Items listed under the consent agenda are considered routine agency matters and approved by a single motion of the NCQAC without separate discussion. If separate discussion is desired, that item is removed from the consent agenda and placed on the regular business agenda.

A. Approval of minutes

1. NCQAC business meeting, September 12, 2008

Changes:

Chair Report

- Change HIPDB to Health Integrity Portability Database
- Change 'state for licenses' to 'licensee'

2. NCQAC disciplinary hearings, May 28, 2008, June 26, 2008, July 31, 2008
3. Continuing Competency sub-committee, August 27, 2008
4. Licensing and Disciplinary sub-committee, July 28, 2008
  - Under "Update NCQAC Procedure A21.04 . . . change the 2<sup>nd</sup> sentence to: "Staff are currently sending all applications disclosing medical conditions to Case Management Team. (CMT)"
5. Nursing Program Approval Panel, June 10, 2008 ~~and July~~ and July 23, 2008

**MOTION:** Motion by Mariann Williams with a second by Charlotte Coker to accept the consent agenda with changes. Motion passed.

**Recommendation:** Ms. Meyer recommended the minutes document the agenda item, description of the item, brief discussion, and action, as required by the Open Public Meetings Act. All meetings can be digitally recorded and a CD produced. The retention schedule for minutes is six years.

**ACTION:** The recommendation was approved by the NCQAC.

- B. Licensing Statistics - Report on number of licenses issued and three year trends.

### 3. Chair Report – Dr. Judith Personett - DISCUSSION/ACTION

- A. Teaching senior students at WSU and meeting with Dr. Patricia Butterfield
  - The students requested a copy of The Law Relating to Nursing Care and Regulation of Health Professions - Uniform Disciplinary Act.
  - Dr. Butterfield was interested in the demographics
- B. Nurse delegation conference October 10, 2008
  - Dr. Personett spoke at the Department of Social and Health Services, Office of Aging and Disabilities. The focus was Continuing Competency.
- C. Uniform Core Licensure Requirements Conference, National Council of State Boards of Nursing (NCSBN), Chicago
  - The meeting's objective was to develop similar licensure ~~requirments~~requirements for all states.
- D. Panel and committee assignment updates - new member assignments
  - Charlotte Coker, Public Member - assigned to Case Disposition Panel #2 with Erica Benson-Hallock as her mentor.
  - Margaret Kelly, LPN - assigned to Case Disposition Panel #3 with Jackie Rowe as her mentor.
- E. Chair Position Description update

**DISCUSSION:**

Changes:

- Remove the words 'to make'

- #10 Uses signatory authority on documents as required. This was added because 1103 changed the reporting structure.
- Added #11 Serves as a delegate to the National Council of State Boards of Nursing for the annual delegate assembly held each August.

**MOTION:** Motion by Mariann Williams and second by Diane Sanders to approve the position description with the changes. Motion passed.

F. Board/Commission/Committee Fall Meeting, November 7, 2008, SeaTac, Double Tree attended by Dr. Personett, Paula Meyer, Linda Batch, Bill Hagens and Margaret Kelly.

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

- A. Council of Nurse Educators of Washington State (CNEWS) October 15, 2008, Usrah Claar-Rice
- Timeliness of receiving licenses
  - The Annual Report and Master Plan were presented.
- B. Rules update – Terry West
- Nurse Delegation – The CR 102 was not filed in time for a 12/22/08 hearing date. Hearing is scheduled for the January 9, 2009 NCQAC meeting.
  - ARNP – CR103 will include a delayed effective date of 1/1/09 to allow for data base changes.
- C. Integrated Licensure and Regulatory System (ILRS) Update – Terry West
- Ms. West discussed the on-line license project scheduled for 2010. Credit card payments are now accepted at the front counter for renewals, and applications.
  - HIPDB and Washington State Patrol are trying to speed up the process of completing background checks.
  - More information will be presented at the next meeting.
- D. Nur Rajwany, I.T. Director, NCSBN to visit the Department of Health 11/17/08 - Terry West
- Mr. Rajwany works with NurSYS®. We are working with him to transfer disciplinary information. He will work with our IT staff and will meet with licensing staff to update them on the improvements to Nursys. One improvement is that we will be able to run reports on our own data submitted weekly.
- E. Uniform Disciplinary Act Report, Usrah Claar-Rice
- HB 1103 requires an annual report. There has been a 12% increase in the number of licenses in one year. NCQAC has 32% of all HPQA licensees.
- F. Update on upcoming NCSBN conferences
- Rhonda Taylor - Item Review Sub committee, February 10-13, 2009
  - Sue Woods - Awards Committee
  - Diane Sanders - Finance Committee, December 2, 2008
  - Usrah Claar-Rice - Examination Committee, October 22-24, 2008

There is a freeze on out-of-state travel unless supported by a third party. All of the above conferences are paid for by NCSBN.

G. Updates on HB 1103 implementation

Sexual misconduct - When the NCQAC receives a report of sexual misconduct, the NCQAC determines if there is a practice element. If there is no practice element, the report is forwarded to the Secretary of Health for investigation.

**ACTION:** Mariann Williams with submit a flow chart for the procedure.

- Sanctioning Guidelines - NCQAC is 100% compliant with the guidelines.

**5. Nursing Program Approval Panel procedure B07.03 revised – Usrah Claar-Rice – DISCUSSION/ACTION**

Ms. Claar-Rice discussed the proposed revisions to the policy.

Major changes:

The classification changed from Nursing Education Manager to Nursing Education Advisor.

Delete: Page 5 VIII - If an individual fails to pass NCLEX . . .

Delete: Page 6 VIII - Compliance monitoring . . . to the press by the Adjudicative Service Unit.

Delete Page 7 IX - Compliance monitoring . . . release to the press by the Adjudicative Service Unit.

**MOTION:** Motion by Jackie Rowe and a second by Laura Yockey to approve changes to procedure B07.03. Motion passed.

**6. ARNP Rules – Terry West – DISCUSSION/ACTION**

The NCQAC agreed to develop two interpretive statements on renewal and practice requirements:

a. WAC 246-840-360(1)(d) - clinical practice hours for renewal

b. WAC 246-840-365 - ARNP whose license has lapsed and how to complete advanced clinical practice supervised by an ARNP or physician in the same practice area.

Discuss how ARNPs under supervision should represent themselves to the public. Discussion of whether to adopt rules by interim policy for pending applicants until the date the rules are effective.

How to get 250 precepted hours if the ARNP has been out of practice.

250 hours of practice are required as a minimum to renew an ARNP license every two years. ,  
What hours count to renewal?

Ms. Williams requested a letter from Mary Lawler, Washington Association of Nurse Anesthetist be read. Ms. West read the letter. Ms. Meyer read the current rule, and the proposed rule.

Synopsis of comments by: Pete Peterson; Ken Plitt, Washing Association of Nurse Anesthetists; and Todd Herzog, National Board for Certification and Recertification of Nurse Anesthetist.

- Define the term of practice more broadly and the use of 'direct patient care'
- Write an interpretative statement addressing the concerns
- Adopt the interim policy for pending applicants until the rules are effective.

NCQAC held a 30 minute executive session to discuss with their AAG matters relating to potential litigation. The AAG requested that Paula Meyer and Terry West remain because of their knowledge of the ARNP rules and licensure requirements.

The NCQAC discussed a minor change to WAC 246-840-360 from  
(d) Practiced for at least two hundred fifty hours in clinical practice as an ARNP within the two-year licensing renewal cycle.

(i) Clinical practice includes the formulation, implementation and evaluation of plans of care for patients for whom the ARNP is responsible.

To

(i) Clinical practice includes the formulation, implementation and evaluation of plans of care for patients for whom ARNPs are responsible.

**MOTION:** Motion from Dr. Woods and second by Darrell Owens to adopt the editorial change. Motion passed.

**MOTION:** Motion by Darrell Owens and second by Linda Batch than an interpretive statement for renewal is not needed. Motion passed.

**MOTION:** Motion by Jackie Rowe and second by Laura Yockey that the NCQAC proceed with an interpretive statement for WAC 246.840.365 regarding a lapsed license and the 250 hours. Motion failed. The Chair requested an individual vote.

Jackie Rowe - yea  
Laura Yockey - yea  
Rob Salas - abstain  
Dr. Woods - no

Margaret Kelly - abstain  
Sue Wong - yea  
Linda Batch - no  
Darrell Owens - no

Rhonda Taylor - abstain  
Mariann Williams - abstain  
Diane Sanders - no  
Charlotte Coker - abstain

#### 7. **Operating Agreement revisions – Paula Meyer – DISCUSSION/ACTION**

The Operating Agreement revisions according to HB 1103 were presented for discussion and potential adoption.

- Ms. Meyer presented two draft revisions of the Operating Agreement. DOH is responsible for the administrative, budget and personnel. Boards and commissions are responsible for regulation of their profession. HB 1103 grants the NCQAC a different role, which modifies the Operating Agreement.

**ACTION:** Ms. Meyer asked the NCQAC for feedback on the strengths of each document. She needs feedback within two weeks so the draft can be submitted at the January meeting.

#### 8. **NCSBN awards nominations and completing application – Bill Hagens – DISCUSSION/ACTION**

Review categories of awards through NCSBN. Discuss forms, accomplishments, and potential nominations.

- Ms. Meyer explained categories used in the nomination process. Dr. Woods agreed to meet with Bill Hagens, Margaret Kelly, and Linda Batch to explain the type of information on nomination forms.

#### 9. **Update on Budget, fees, decision packages – Terry West – DISCUSSION**

- The September report shows the NCQAC as overspent. Ms. West explained some of the more significant line items.

- Direct budget control over service units does not exist.
- Cost savings - Video conferencing, mandate state motor pool cars for travel, not attending conferences, fewer speaking engagements, delay computer replacement, more conference calls, no staff training, raising the threshold of cases to be investigated, keep task force members to a maximum of three.

**ACTION:** Lois Hoell and Susan Wong will work with Ms. West to look at the budget.

Of the decision packaged presented to Office of Financial Management by the NCQAC, the priorities are :

- WHPS
- Inflationary Packet – cost of living salaries, building lease increase, etc.

Unsafe nurses – the legislature required an equation of the staff needed to process investigations and disciplinary work.

**10. Newsletter – Terry West – DISCUSSION/ACTION**

Review task force membership.

- Bill Hagens, Sue Woods, Charlotte Coker, and Rob Salas
- Review the policy:

**MOTION:** Motion by Dr. Woods and second by Diane Sanders to remove “Articles submitted by anyone not a member of the NCQAC or a DOH employee”. Add “The Task Force will select the articles”. A voice vote was taken. Motion passed.

Jackie Rowe - no	Margaret Kelly - yea	Rhonda Taylor - yea
Laura Yockey - no	Sue Wong - Yea	Mariann Williams - yea
Rob Salas - yea	Linda Batch - yea	Diane Sanders - yea
Dr. Woods - yea	Darrell Owens - yea	Charlotte Coker - yea

**LUNCH**

**1:00 PM – OPEN MICROPHONE**

Open microphone is for public presentation of issues to the NCQAC. If the public has issues regarding disciplinary cases, please call: (360) 236-4713.

- Joanna Boatman - Retired nurse status and the impact of fee increases on retired nurses.
- Mary Lawlor, President of the Washington Association of Nurse Anesthetists - Thanked the NCQAC for all the work that completed on the ARNP rules.
- Leslie Emerick, Governmental Consultant - Association of the Advanced Practice Psychiatric Nurses gave an update of the bills proposed by the Association for the mental health nurses and home care reimbursement equality for nurses.

**11. Legislative Task Force – Paula Meyer – DISCUSSION/ACTION**

- A. Review task force description and the list of standing members
  - Standing Members are Dr. Personett, Chair and Susan Wong, Vice Chair. Darrell Owens and Linda Batch will take alternate weeks.

B. Review start and end date of 2009 legislative session - start date January 12, 2009 and end date is April 15, 2009.

C. DOH weekly legislative calls - Ms. Meyer will provide more information later.

## 12. Sub Committee reports – DISCUSSION/ACTION

A. Continuing Competency – Rhonda Taylor, Chair

- Update on October 2, 2008 planning meeting
  - 1) Concentrate on reducing discipline through focused Continuing Education (CE)
  - 2) 45 CE every 3 years
  - 3) 15 CE specific to discipline awareness and improvement
  - 4) 30 CE specific to practice area
  - 5) Review the Conceptual Model revised on Oct 29<sup>th</sup>
- Practice hours keep nursing skills current. An evidence based approach to continuing competency is needed. Make sure resources exist for what is required. Listen to stakeholders. Suggest that nurses not actively practicing use an inactive licensure status.
- Self-reflection and development plan were removed from the document. Committee is requesting direction from the NCQAC on how to proceed.
- Dr. Personett read a letter of concern from Cheryl Payseno about the direction the sub-committee is suggesting to the NCQAC. The sub-committee will consider the feedback and direction at their next meeting. Recommendations nor motions to change the model or direction were presented for action.

B. Licensing and Discipline – Bill Hagens, Chair

- Update on disciplinary worksheets
- NCQAC Procedure A24.05 Approved Evaluators - Ms. Rowe explained the list of approved evaluators in procedure A24.05

**MOTION:** Motion and second from the Licensing Subcommittee to approve A24.05 with recommended changes. Motion passed.

- HPQA Procedure 205 Initial Assessment and Case Disposition Decisions

**Recommendation:**

Page 3 - 8. delete 'recommends'

Page 4 - 9. after CMT add the words 'or CDP'.

**MOTION:** Motion and second from the Licensing Subcommittee to recommend Procedure 205 with recommended changes. Motion passed.

**Adjourned** at 2:26 by Dr. Personett, chair.