Nursing Care Quality Assurance Commission (NCQAC)
Discipline Sub-committee Agenda
May 28, 2019  MINUTES  3:30 pm to 5:45 pm

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Committee Members:
Adam Canary, LPN, Chair excused
Edie Higby, Public Member
Lois Hoell, MS, MBA, RN
Sharon Ness, RN
Tiffany Randich, LPN acting chair
Tracy Rude, LPN ad hoc
Dawn Morrell, RN, BSN, CCRN

Staff:
Catherine Woodard, Associate Director of Discipline
Karl Hoehn, Legal Manager
Grant Hulteen, Chief Investigator
John Furman, Director, WHPS
Helen Budde, Case Manager excused
Barb Elsner, HSC
Adena Nolet, Compliance Specialist

Public:
Debra Strom
I. 3:30 PM Opening – Tiffany
   - Call to order – Digital recording announcement
     Meeting called to order at 3:30 pm
   - Roll call

II. April 23, 2019, Minutes – Tiffany
    - Two corrections for the minutes; noted.

III. Recap of the May 10 Commission Meeting – Tiffany from Adam’s notes
    - Reviewed performance measures; discussed rules in progress; discussed collection of demographics.
    - Discussed apprenticeship in nursing.
    - For Discipline Subcommittee, the commission approved Procedure A06.07 Review of Commission Reports, A07.02 Anonymous Complaints, and Procedure TBD DUI Arrests and Conviction Reports.
    - Received education reports; main topic was the complaint portal and HEAL-WA annual report.
    - Lunchtime report on human trafficking was eye opening.
    - Annual evaluation showed great progress; excited about this!
    - The commission adopted the final draft on jurisprudence. Margaret Holm and Shana Johnny presented.
    - The commission gave the annual NCQAC award to Kathy Anderson. She is invited to attend the NCSBN annual meeting.
    - The election of officers took place; Tracy, Mary, and Lois remain in their positions.
    - The meeting was very positive and fast-paced; accomplished a lot.

IV. Performance Measures – Catherine, Grant, Karl, and John
    - Reviewed performance measures.
    - During a discussion of the WHPS April compliance report, John informed us that the popular health drink, Kombucha, contains alcohol and can be detected in a urine test.
    - Tiffany asked clarifying questions about positive tests. In that case, John sees the test and calls the work site monitor to tell the nurse to cease practice until WHPS tells them it’s OK to return.
    - Noted that Investigator Andy Caldwell resigned to take a job in Lewis County with emergency management.
    - Investigator Terese Carroll resigned to take a job with Washington Youth Academy.
    - We have started recruitment for the three staff attorney positions.

V. Demographics of Nurses Under Investigation (Continued) – Adena
   - Length of practice
   - Initial credential date
   - Endorsement or exam
   - After reviewing these demographics, Adena noted that we don’t keep track of practice, just credentials. If a nurse endorses into WA, we have no idea how long they were practicing in the state they came from. Most practice errors occur between 10-15 years of practice.
VI. Procedure Update – A25 Case Disposition Panels – Catherine and Karl
  o Karl pointed out that the existing procedure mostly works well except for the important issues Lois pointed out. That is, the commission chair must appoint the chair of disciplinary panels, which can have more than one chair. The panel chair must be a commission member, not a pro-tem.
  o The second issue is about RCMs presenting to a panel of three at CDP, not counting as one of the panel. There was a lot of discussion around this and the commission members (and staff) agreed it was better to have the RCM present their case to the panel of three and allow the panel to decide the case with input from the RCM and staff attorney.
  o Tracy brought up the issue of staff attorneys presenting cases on behalf of RCMs when requested. Adena researched this before the meeting and saw that these instances were remarkably low and usually occurred when the case was going nowhere.
  o Lois and Tracy suggested exploring the option of going back to evening CDP meetings. Tracy requested this be a topic of discussion at the business meeting to gather feedback.
  o Based on this discussion, Karl will make further edits to the procedure and we’ll bring it back for review.

VII. Procedure Update – W39 Peer Support Group Facilitators – Lois and Tracy
  o Lois and Tracy presented an edited version of this procedure for review.
  o The group requested further edits to call participants or enrollees nurses.
  o We discussed the term co-facilitator for clarity, and whether language should be dual diagnosis or co-occurring.
  o John answered questions to clarify the format of facilitator reports to WHPS. Also, his role in recruiting facilitators, reviewing applications, and selecting facilitators to lead peer support groups.
  o We will bring the edits back for further review.

VIII. Expedited Closure Process
  o Catherine, Karl, and Grant reported that we are not seeing the anticipated benefits of the revised procedure.
  o What we thought would save time to close cases more efficiently is actually more cumbersome and an interruption to the work flow.
  o We are back to where we started, which is when the investigator realizes evidence does not support a violation, consults with the staff attorney, and the staff attorney consults with the RCM to get it on the CDP agenda.
  o This will be a topic of discussion at the July 11 commission workshop and we will update the procedure for subcommittee review.

IX. Update on Decision Package – Catherine
  o Effective July 1, we have authority to hire five investigators and three staff attorneys. We plan to hire one investigator in Spokane. We have started the recruitment process.
  o Karl pointed out that in this time of low unemployment, he will consider in-training positions as an option.

X. Work Plan – Adam
  Review status of items on the work plan
We will continue with quarterly performance reports using Chris and Amber’s charts.

We have finished the demographics review and will remove it from the work plan.

We will learn more about the fate of the newsletter at the business meeting. For now, we already have articles ready for publishing.

XI. Meeting Evaluation – All

Dawn mentioned that she was listening from Sedona while looking at red rocks.

Good meeting, we accomplished a lot. People are working hard on issues and Lois and Tracy are working hard on the procedures.

Excited to get new staff attorneys and investigators. Excited to learn new things, like that there’s alcohol in Kombucha.

Respect the discussions and everyone’s contributions.

Great work on the CDP procedures.

Lots of thanks all around for the hard work.

Value the time and contributions to the discussions.

XII. Closing

Adjourned at 5:47pm.