Nursing Care Quality Assurance Commission (NCQAC)
Discipline Sub-committee Minutes
October 15, 2019 3:30 pm to 5:30 pm

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Committee Members:
Adam Canary, LPN, Chair
Lois Hoell, MS, MBA, RN
Sharon Ness, RN
Tiffany Randich, LPN
Tracy Rude, LPN ad hoc
Dawn Morrell, RN, BSN, CCRN – Excused
Cass Tang, Public Member

Staff:
Catherine Woodard, Director, Discipline – Excused (NCSBN training)
Karl Hoehn, Assistant Director, Discipline – Legal
Grant Hulteen, Assistant Director, Discipline – Investigations
John Furman, Assistant Director, Discipline – WHPS
Teresa Corrado, LPN, CPM, Assistant Director, Discipline - Case Management
Helen Budde, Case Manager
Barb Elsner, HSC
Stephanie Bryant HSCII in attendance

I. 3:30 PM Opening – Adam
   o 3:32 Call to order – Digital recording announcement
   o Roll call

II. Commission Meeting Review September 12/13, 2019 – Adam
   o The commission approved procedures W39 (Professional Peer Support Groups) and A25 (Case Disposition Panels).
   o The commission approved the August 13, 2019 DSC minutes on the consent agenda.

III. Performance Measures – Catherine, Grant, Karl, and John
   o Grant reported on investigation performance measures and how new investigators affect them.
   o Grant reported a consistent number of complaints open at CMT.
   o Karl reported on legal performance measures, new attorney hires, and the anticipated changes. Drafting time is down on reports. 10% of cases are ARNPs.
Lois and Cass asked about the baseline target and if it is the same as HSQA. Karl explained our target is 77% and it is our own. Legal strives for 30 days but has 130 days in case disposition. They regularly meet that performance measure.

Karl said it will take around six months for new staff attorneys to be operational, but admitted it can take up to a year if an attorney lacks specific training.

John reported on WHPS performance measures, including outreach efforts in July and August 2019. Staff took vacation during summer months, which is why outreach efforts were a bit lower. They still met the goal of four per month.

The total number of WHPS participants reported for June 2019 (284) is inaccurate; it is more likely 301-304. Intake was not added to the totals. July 2019 numbers were okay as intake was included. August 2019 lists 281 but really should have been 300-301 as intake was not included.

John explained the use of CBD products is acceptable as long as nurses don’t test positive for THC. John said there is a small amount of alcohol in near beer (.05%) and it is possible to test positive on a PEth test.

Cass would like to see a spreadsheet listing all the outreach programs that includes a column with the dates of site visits. Cass also requested a bar chart for trends. John said that increased outreach is part of the WHPS strategic plan and they will be able to show progress after the commission adopts the plan and they focus more work in this area.

IV. Early Remediation (ER) annual report – Margaret Holm

Margaret reported on the ER program data.

Margaret discussed challenges to the data and subcommittee members agreed that the data should tell a story and the collection of data needs to be restructured. Should at least be capturing recidivism. What is the recourse when a nurse’s work is insufficient?

Discussion followed regarding the origin of Early Remediation. Karl referenced 264-840-851 WAC. Is the program still effective? There is agreement to study the program in more depth to make recommendations. Perhaps a subcommittee workgroup to consider the health of the program and suggested revisions?

V. A.34.06 Early Remediation procedure review – Karl, Grant, Margaret

Discussion regarding the procedure and looking at old complaints as an accumulated issue. That behavior may still qualify for ER. Many cases are closed below threshold at CMT, so what prompts entry into ER? (Editor’s note: The commission has adjusted thresholds twice since the ER program was created, which results in fewer cases eligible for ER.)

Lois and Margaret discussed nurses in therapeutic settings being addressed in ER. Could be a mix of both ER and facility issues.

Margaret expressed concern that her preliminary interview may interfere with and investigator’s interview should the case go back to investigations. Grant said no.

Helen thinks there should be a definition for ‘willful.’ Grant suggested ‘willful intent.’
VI. Jurisprudence Module (JP) – Shana Johnny and Margaret Holm

- Margaret discussed the JP Model and requested that it be included as coursework in disciplinary cases. Lois believes it should be in our sanction standards.
- Sharon said many stakeholders are interested in it, and questioned the cost.
- Karl reminded the subcommittee that this is also under discussion with the continuing competency workgroup.
- Margaret pointed out that it covers all the work of the commission, including WHPS.
- Karl explained the matter needs to go before the commission to go into sanction standards. The DSC agreed to make the motion at the November commission meeting.

VII. Review of Case Management Team (CMT) and Case Disposition Panel (CDP) closure codes – Helen and Karl

- Karl discussed he is on an HSQA workgroup looking at all the closure codes and thinning them out prior to HELMS. HSQA is interested in looking into this issue. Codes are not set in law; the same ones have been used forever. Wants to keep HSQA in the loop as it may affect business practices.
- Lois was concerned about the code ‘issued in error.” Karl said this is rarely used.
- Teresa agreed being consistent with other professions in HSQA is important, but pointed out that NCQAC could lead the way.
- Sharon asked if the codes are inclusive.
- Staff will continue to work with HSQA on this matter and report back to the DSC.

VIII. Work Plan – Adam

Review status of items on the work plan
- Updates on work plan.

IX. Evaluation – All

- Lois: Very productive on many topics and enjoyed people involved in discussion
- Sharon: Likes what Margaret said and enjoyed the discussion.
- Tiffany: Great meeting. Agree with two others regarding interactions and opinions. Also the JP going in the right direction.
- Dawn: Appreciated the pre-meeting reading. Agrees with streamlining closure codes.
- Cass: Thanked everyone. Glad to contribute. Appreciate the feedback. Suggestion in agenda to put “action/discussion” items.
- Barb: Glad we got the meeting back online. Good discussion
- Helen: Enjoyed topics. Enjoys ER work as it is near and dear to her but the program is under-utilized. In addition, the closure codes is very important to address. Great meeting, looking forward to outcomes.
- Teresa: Incredible meeting, good collaboration, and look forward to contributing and streamlining.
o John: As usual, productive

o Karl: Echoed everyone’s comments and it’s a pleasure.

o Margaret: Thanked the commission for letting her present today. Appreciated the discussion on the JP model and looks forward to seeing where it goes.

o Grant: Went really well. Good topics. Thanks everyone.

o Adam: Thanked staff and is looking forward to making positive change.

X. Closing

o Meeting adjourned 5:07pm.