

1 NEW HAMPSHIRE BOARD OF NURSING
2 MINUTES
3 June 16, 2016
4 Philbrook Building
5 Conference Room B119
6

7 CALL TO ORDER
8

9 The meeting was called to order by Vice- Chair Kitty Kidder

10 Board Members Present for all or most of meeting: Kathleen Kidder (KK), Tracey
11 Collins (TC), Roberta Petrin (RP), Beth Fersch (BF), Cynthia Smith (CS), Nancy Wiggin
12 (NW), and Kevin Walsh (KW).
13

14 Board Member Absent: Nora Fortin (NF), Sherrie Palmieri (SP), and Ann Finn-Waddell
15 (AFW).
16

17 Board Staff Present (for all or part of the meeting): Denise Nies (DN), Sarah Howlett
18 (SH), Anita Pavlidis (AP), and Carol Brody (CB)
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20 Board Staff Absent: None
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22 Non-Public Sessions recorded as follows:
23

24 Motion to commence 1st non-public session: 9:15 AM- 9:21 AM

25 On motion of TN, seconded by NW, the Board voted to conduct a non-public session for
26 the purpose of board business and noting that such a non-public session is authorized by RSA
27 91-A:3, II (c), RSA 91-A:3, II (e), RSA 91-A:5, IV, RSA 329:18, I, RSA 329:18-a, IV, RSA
28 329:29, Lodge v. Knowlton, 119 N.H. 574 (1978), and the Board's executive and deliberative
29 privileges. Each member recorded his or her vote on the motion, which passed by the unanimous
30 poll vote of all members present and included RP, CS, BF, TC, KK, and NW. Motion to come
31 out of non-public by BF and seconded by NW and vote unanimous.
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33 Motion to commence 2nd non-public session: 9:59 – 10:10 AM

34 On the motion of TC and NW, the board voted to conduct a non-public session for the purpose of
35 board business and noting that such a non-public session is authorized by RSA 91-A:3, II (c),
36 RSA 91-A:3, II (e), RSA 91-A:5, IV, RSA 329:18, I, RSA 329:18-a, IV, RSA 329:29, Lodge v.
37 Knowlton, 119 N.H. 574 (1978), and the Board's executive and deliberative privileges. Each
38 member recorded his or her vote on the motion, which passed by the unanimous poll vote of all
39 members present and included RP, CS, BF, TC, KK, and NW. Motion to come out of non-public
40 by TC and seconded by CS and vote unanimous.
41

42 Motion to commence 3rd non-public session: 10:33 AM -- 1056: AM

43 On the motion of CS and NW, the board voted to conduct a non-public session for the purpose
44 of board business and noting that such a non-public session is authorized by RSA 91-A:3, II (c),
45 RSA 91-A:3, II (e), RSA 91-A:5, IV, RSA 329:18, I, RSA 329:18-a, IV, RSA 329:29, Lodge v.
46 Knowlton, 119 N.H. 574 (1978), and the Board's executive and deliberative privileges. Each

47 member recorded his or her vote on the motion and included RP, CS, BF, TC, KK, and NW.
48 Motion to come out of non-public by NW and seconded by TC and vote unanimous.
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50 Motion to commence 4th non-public session: 11:39 AM-11:48 AM

51 On the motion of BF and RP, the board voted to conduct a non-public session for the purpose of
52 board business and noting that such a non-public session is authorized by RSA 91-A:3, II (c),
53 RSA 91-A:3, II (e), RSA 91-A:5, IV, RSA 329:18, I, RSA 329:18-a, IV, RSA 329:29, Lodge v.
54 Knowlton, 119 N.H. 574 (1978), and the Board's executive and deliberative privileges. Each
55 member recorded his or her vote on the motion and included RP, CS, BF, TC, KK, and NW.
56 Motion to come out of non-public by KW and seconded by TC and vote unanimous.
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58 Motion to commence 5th non-public session: 1:13 PM-2:53 PM

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60 On the motion of CS and NW, the board voted to conduct a non-public session for the purpose
61 of board business and noting that such a non-public session is authorized by RSA 91-A:3, II (c),
62 RSA 91-A:3, II (e), RSA 91-A:5, IV, RSA 329:18, I, RSA 329:18-a, IV, RSA 329:29, Lodge v.
63 Knowlton, 119 N.H. 574 (1978), and the Board's executive and deliberative privileges. Each
64 member recorded his or her vote on the motion and included RP, CS, BF, TC, KK, and NW.
65 Motion to come out of non-public by RP and seconded by BF and vote unanimous.
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68 Open Forum: No questions or comments presented for board consideration.
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71 2. APPROVAL OF MINUTES
72

73 2.0.1 NW motioned and seconded by CS to accept the minutes of May 19, 2016, with requested
74 changes. Motion passed unanimously.
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76 2.0.2 NW motioned, and CS seconded to accept the minutes of June 8, 2016, as presented.
77 Motion passed unanimously.
78

79 2.1.1 NW and RP seconded motion to accept the emergency minutes of June 8, 2016, as
80 presented. Motion passed unanimously.
81

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83 3. REPORT OF CHAIR/MEMBERS
84

85 3.1 None
86

87 4. REPORT OF EXECUTIVE DIRECTOR/STAFF
88

89 4.0.1 Final Proposal for Nur 100 rules reviewed. Motion by TC and seconded by NW to
90 approve rules as written. RP, CS, BF, TC, NW, and KK present and voted unanimously in
91 favor.
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93 4.0.2 Final Proposal for Nur 704.02 (d) rule reviewed. Motion by TC and seconded by NW to
94 approve rules as written. RP, CS, BF, TC, NW, KK present and voted unanimously in favor.
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96 4.0.3 Request for exception to SS #: by licensee applicant discussed by board and response to
97 applicant to be crafted and sent.
98

99 4.0.4 PDMP report provided that addresses provider's prescribing patterns with multiple
100 controlled substances. Board informed that an educational letter is sent to these providers.
101

102 5. ATTORNEY GENERAL –Standing Order from the APU for board consideration.
103 Board voted to deny order as written and proposed wording changes for submission to
104 the Attorney General APU. SP motioned and KW seconded with unanimous vote.
105

106 6. REPORT OF INVESTIGATOR/PROSECUTOR
107

108 Open Files: Report provided on status of open files.
109

110 7. ADJUDICATION
111

112 Adjudicative (Investigator/ Prosecutor)
113

114 7.1 Hearings
115

116 7.1.1 Anthony Hutchinson, LNA – continued
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118 7.1.2 June Rexford, LNA – Hearing held pursuant to the Nurse Practice Act RSA 326-B and
119 Administrative Rules, Chapter 100-800, proceeded at 9:03 am with Kitty Kidder presiding.
120

121 Board members present: Roberta Petrin (RP), Tracey Collins (TC), Kitty Kidder (KK), Cynthia
122 Smith (CS), Nancy Wiggin (NW), and Beth Fersch (BF).
123

124 Board members absent: Nora Fortin (NF), Kevin Walsh (KW), Sherrie Palmieri (SP) and Ann
125 Finn-Waddell (AFW).
126

127 Board staff present: Sarah Howlett (SH), and Hearing Counsel for the Board of Nursing, L.
128 O'Connor (LO), and Denise Nies (DN).
129

130 Motion made by NW and seconded by CS. RP, CS, BF, TC, KK, and NW present for
131 unanimous vote.
132

133 Board voted the following: Revocation for a minimum of 3 years and a fine of \$500.00 for
134 abandonment of residents and failure to cooperate with the board investigation. Licensee
135 previous pattern of behavior identified threats to leave assignments in the past.
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Hearing concluded at 9:14 AM.

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7.1.3 Cheryl Noyes, LNA – Hearing held pursuant to the Nurse Practice Act RSA 326-B and the Administrative Rules, Chapter 100-800, proceeded at 9:31 AM Kitty Kidder presiding.

Board members present: Roberta Petrin (RP), Tracey Collins (TC), Kitty Kidder (KK), Cynthia Smith (CS) Nancy Wiggin (NW), and Beth Fersch (BF),

Board members absent: Nora Fortin (NF), Kevin Walsh (KW), Sherrie Palmieri (SP), and Ann Finn-Waddell (AFW).

Board staff present: Sarah Howlett (SH), and Hearing Counsel for the Board of Nursing, L. O’Connor (LO), Denise Nies (DN).

Motion made by TC and seconded by BF. RP, CS, BF, TC, KK and NW present for unanimous vote.

Board members voted the following: Revocation of license for 3 years and a fine of \$750.00 for engaging in professional misconduct by being convicted of a misdemeanor related to controlled substances in violation of RSA 326-B:37, II(c); Professional misconduct in violation of RSA 326-B: 37,(q)(2); Violation of RSA 326-B: 37, II(m) and / or Nur 403.04(15).

Hearing concluded at 9:58 AM

7.1.4 Sandra Steenbergen, RN – continued

7.1.5 Jacqueline Marois, RN – Hearing held pursuant to the Nurse Practice Act RSA 326-B and the Administrative Rules, Chapter 100-800, proceeded at 11:05 AM with Kitty Kidder presiding.

Board members present: Roberta Petrin (RP), Tracey Collins (TC), Kitty Kidder (KK), Cynthia Smith (CS) Nancy Wiggin (NW), and Beth Fersch (BF),

Board members absent: Nora Fortin (NF), Kevin Walsh (KW), Sherrie Palmieri (SP), and Ann Finn-Waddell (AFW).

Board staff present: Sarah Howlett (SH), and Hearing Counsel for the Board of Nursing, L. O’Connor (LO), and Denise Nies (DN).

Motion made by NW and seconded by TC. RP, CS, BF, TC, KK and NW present for unanimous vote.

Board members voted the following: Suspension of RN license for 2 years and a fine of \$1000.00 for working while impaired, demonstrating a willful/careless disregard for the health or safety of her patients, displaying a failure/ inability to perform nursing with reasonable skill and safety and demonstrating an inability to practice safely due to impairment.

Hearing concluded at 11:38 AM

184 9. CLINICAL PRACTICE
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186 9.3 Public Appearances
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188 9.3.1 Keene State College – see 10.1.1
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190 10.0 Education
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192 10.1.1 KSC request to the board to increase current sophomore cohort from 32 to 36 for the fall
193 2016 cohort only. TC motioned to allow request and RP seconded motion. RP, KK, CS, BF,
194 TC, KW, and NW voted unanimously.
195
196 10.1.2 Harmony Health Care Institute: Update on status with Department of Education.
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198 10.1.3 NCSBN Educational Network Phone Conferences: Update provided on key issues
199 discussed during phone conferences.
200
201 10.2 Education
202
203 Following LNA and MNA programs listed are approved by BON. Motion by TC and seconded
204 by CS with unanimous vote:
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206 10.2.1 Manchester School of Technology- LNA
207 10.2.2 Nashua High School Center of Applied Technology-LNA
208 10.2.3 Dover High School Health Science and Technology- LNA
209 10.2.4 Lakes Region Community College-LNA
210 10.2.5 Coos County Hospital- MNA
211 10.2.6 Coos County Hospital- LNA
212 10.2.7 White Mountain CC- MNA
213
214 The following LNA program listed not approved for renewal by BON. Motion by TC and
215 seconded by CS with unanimous vote:
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217 10.2.8 Exeter Seacoast School of Technology- LNA
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219 10.3 Day of Discussion: Discussion with S.P., Board Member, confirmed SNHU has monies to
220 support the Day of Discussion for RN/LPNs. Scheduled for January 11 or 12 dependent on
221 speaker availability. Deans & Directors group & NH Action Coalition will assist in coordination
222 of the event.
223
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225 11. PRACTICE INQUIRIES and PRACTICE COMMITTEE REPORTS
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227 Practice Inquiries
228
229 None

230
231 11.1 P and E Committee: Report given by TC regarding work being completed by the Practice
232 and Education Committee on LNA scope of practice guidelines and dermatology/cosmetic
233 guidelines. Once completed, the completed product will be reviewed and approved by the
234 board.

235
236 11.2 Liaison Committee: No report

237
238 12. LEGISLATION

239 SB 523 relative to the controlled drug prescription health and safety program and establishing a
240 commission to study requiring controlled drugs and controlled drug analogs to be
241 provided in abuse-deterrent formulation

242 SB 530 establishing a commission to study volunteer health care services.

243 Motion by TC and seconded by NW to approve two APRN licensees to serve on the study
244 committees assigned to each of these bills. Vote unanimous.

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246 14. ADJOURNMENT

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248 The meeting was adjourned at 3:20 PM

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