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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

F I N A L M I N U T E S

MEETING OF:

**STATE BOARD OF NURSING
VIA VIDEOCONFERENCE**

TIME: 9:08 A.M.

June 10, 2021

State Board of Nursing
June 10, 2021

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BOARD STAFF: (Continued)

Marilyn Teeter, MSN, RN, Nursing Education Advisor
Annuitant
Carol Scipioni, RN, Nursing Practice Advisor Annuitant

DEPARTMENT PERSONNEL:

Theodore Stauffer, Executive Secretary, Professional and
Occupational Affairs, Designee of the Commissioner
Marc Farrell, Deputy Policy Director, Department of
State

ALSO PRESENT:

Andrea Wandling, Human Resources Manager, Pennsylvania
Association of Community Health Centers
Andrew Harvan, Esquire, Pennsylvania Medical Society
Maria C. Battista, JD, EdD, Director of Policy and
Government Affairs, Pennsylvania Coalition of Nurse
Practitioners
Brendan Lynch, Esquire, Community Legal Services of
Philadelphia
Anne M. Krouse, PhD, MBA, RN, Dean/Professor,
School of Nursing, Widener University
Frances Bietsch, MSN-Ed, RN, President, Pennsylvania
Association of Practical Nursing Administrators/ Nursing
Supervisor, Practical Nursing Program, York County School
of Technology
Andrew A. Workman, PhD, Provost, Widener University
J.J. Livingston, Democratic Executive Director,
Senate Consumer Protection & Professional Licensure
Committee
Katrina Claghorn, MS, RN, LDN, Pennsylvania Academy
of Nutrition & Dietetics
Katrina Mulherin, Wanner Associates
Kelly Stephens, MSN, RN, Director of Professional
Development, Pennsylvania State Nurses Association
Kendall Swank
Kim O'Halloran, PhD, Vice Provost for Academic Affairs
and Strategy, Widener University
Jihane Hajj, DrNP, CRNP, Assistant Professor,
Widener University
Laura Humphrey

State Board of Nursing
June 10, 2021

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ALSO PRESENT: (Continued)

Kirk Schlotzhauer, Director of Adult & Continuing
Education, York County School of Technology
Lisa Urban, MSN, RN, Director/Nursing Instructor,
Practical Nursing Program, Greater Altoona Career
and Technology Center
Mary Francis, PhD, CRNP, Director, AGACNP Program,
Widener University
Mary Powell, PhD, CRNP, CDCES, Associate Dean of
Graduate Nursing Programs/Associate Professor,
Widener University
Michelle Wallace, EdD, MSN, RN, Director, Nursing
Programs, Reading Area Community College
Nicole Sidle, Republican Executive Director, House
Professional Licensure Committee
Noah Logan, Government Affairs Specialist,
Pennsylvania State Nurses Association
Pam Hughes, Practical Nursing Director, United Career
Institute
Peggy Pearl, Executive Director, Pennsylvania
Coalition of Nurse Practitioners
Tyler Burke, Milliron & Goodman, LLC
Marcia Landman, MSN-FNP, BSN, RN, Practical Nursing
Assistant Director, United Career Institute
Brian Murray
Jacqueline Ochsenreither, DNP, CRNP, RN, PPCNP-BC,
Director, Doctor of Nursing Practice Program/
Assistant Professor, DeSales University
Carol Gullo Mest, PhD, RN, ANP-BC, FAANP, Chair of
Graduate Nursing Programs/Professor of Nursing,
DeSales University
Carol Duell, MSN, RN, PN Program Coordinator, Eastern
Center for Arts and Technology
Katie Svoboda-Kindle, Esquire, Community Legal
Services of Philadelphia
Michelle Davis, MSN, RN, Director of Nursing, Lincoln
Technical Institute - Allentown
Deborah Little, EdD, RN, CNE, Corporate Assistant
Dean of Nursing, Lincoln Technical Institute -
Allentown
Danielle Giuliano, PhD, MSN, BSN, RN, Director,
Practical Nursing Program, Pennsylvania Institute
of Technology

1 ***

2
3 State Board of Nursing

4 June 10, 2021

5 ***

6 The regularly scheduled meeting of the State
7 Board of Nursing was held by videoconference pursuant
8 to the Governor's March 16, 2020 waiver of the
9 "physical presence" requirement in section 2.1(c) of
10 the Professional Nursing Law (63 P.S. § 212.1(c) on
11 Thursday, June 10, 2021.

12 Kristin Malady, BSN, RN, Chair, called the
13 meeting to order at 9:08 a.m.

14 ***

15 Roll Call

16 [A roll call of Board members was taken by Chair
17 Malady.]

18 ***

19 Introduction of Board Counsel

20 [Carole Clarke Smith, Esquire, Senior Board Counsel,
21 introduced members of Board Counsel.]

22 ***

23 Introduction of Board Prosecution

24 [William A. Newport, Esquire, Senior Prosecution
25 Liaison, identified members of Prosecution.]

1 ***

2 Introduction of Board Staff

3 [Wendy Miller, MSN, RN, Executive Secretary,
4 introduced Board staff.]

5 ***

6 Introduction of Audience Members

7 [Kristin Malady, BSN, RN, Chair, thanked Mr. Stauffer
8 for the great job coordinating the virtual meetings.
9 She requested Mr. Stauffer introduce guests and asked
10 attendees to email Cindy Miller their attendance and
11 organization affiliation information.]

12 ***

13 [Judith Pachter Schulder, Esquire, Board Counsel,
14 announced Lori Kovach, DNP, RN, resigned from the
15 Board and thanked Dr. Kovach for her service.

16 She informed everyone that the meeting was being
17 recorded and those who did not desire to be recorded
18 were asked to exit the meeting.]

19 ***

20 Adoption of the Agenda

21 CHAIR MALADY:

22 We have in front of us today's agenda
23 for the June 10 meeting. Are there any
24 changes to the agenda? Seeing none, do
25 I have a motion to adopt the agenda

1 today?

2 DR. KMETZ:

3 So moved.

4 MS. HERTZLER:

5 Second.

6 CHAIR MALADY:

7 All those in favor? Opposed?

8 Abstentions?

9 [The motion carried unanimously.]

10 ***

11 Adoption of Minutes

12 CHAIR MALADY:

13 Looking at the minutes for the April
14 meeting, I was not in attendance, but
15 are there any changes to those minutes?
16 Seeing none, do I have a motion to adopt
17 the minutes for the April meeting of the
18 State Board of Nursing?

19 DR. KMETZ:

20 So moved.

21 MS. HERTZLER:

22 Second.

23 CHAIR MALADY:

24 All those in favor? Opposed?

25 Abstentions?

1 [The motion carried. Chair Malady abstained from
2 voting on the motion.]

3 ***

4 Report of Prosecutorial Division

5 [Chair Malady noted VRP Consent Agreement items 2
6 through 10.]

7 Chair Malady referred to item 10, noting the
8 mental health consent agreement language differs from
9 other consent agreements and questioned whether or not
10 licensees with diagnosed mental health issues have the
11 same practice restrictions as someone who is impaired.

12 Ms. Clarke Smith commented that the Board previously
13 decided not to alter the monitor practice terms after
14 discussions with the committee. She stated the
15 committee could convene again and make sure everyone
16 is on the same page if the Board has concerns with the
17 language.

18 Chair Malady commented that the restrictions were
19 put in place because nurses would be practicing
20 unsupervised or be in practice areas where they would
21 have access to drugs but does not apply to someone
22 with strictly a mental health issue and does not have
23 a dual diagnosis of any kind of drug impairment issue.

24 Chair Malady mentioned that everyone is onboard
25 with the language where the treatment provider

1 recommends drug testing for whatever reason but
2 questioned whether the treatment provider gets to say
3 whether or not those practice restrictions are in
4 place. She questioned whether the treatment providers
5 are the ones who determine whether or not that
6 licensee needs to have the practice restriction as
7 well or does every single one of those people who have
8 mental health issues get those practice restrictions
9 no matter what.

10 Ms. Evancho believed the consent agreement, by
11 the language, gives the Professional Health Monitoring
12 Program (PHMP) much discretion. She will contact
13 Kevin Knipe and report to the Board about how that
14 practice actually works.]

15 ***

16 [Chair Malady noted Ms. Boyd's Case Nos. 11 through
17 16.]

18 ***

19 [Chair Malady noted Ms. Evancho's Case No. 17. Ms.
20 Evancho presented Ms. Guilfoyle's Case Nos. 18 through
21 20, as Ms. Guilfoyle is no longer with the
22 Department.]

23 ***

24 [Chair Malady noted Mr. Sniscak's Case Nos. 21 through
25 24.]

1 ***

2 [Chair Malady noted Ms. Szymanski's Case Nos. 25 and
3 26.]

4 ***

5 [Chair Malady noted Ms. Tucker's Case Nos. 27 through
6 30. Ms. Tucker informed the Board that she and Ms.
7 Boyd attended the National Council of State Boards of
8 Nursing (NCSBN) Discipline Case Management Conference
9 in May. She noted the meeting was virtual but had
10 over 300 attendees from across the United States and
11 Canada addressing a variety of different topics
12 relevant to prosecution.]

13 ***

14 Regulation Update

15 [Judith Pachter Schulder, Esquire, Board Counsel,
16 stated the regulations were in the same position as
17 before aside from an additional meeting with the Organ
18 and Tissue Donation people to obtain additional
19 information.

20 She noted there would be discussions later during
21 the meeting regarding the list of Crimes Directly
22 Related to the Profession with Ms. Clarke Smith and a
23 review of the Child Abuse Reporting Requirements
24 regulation with Ms. Montgomery to review comments
25 received from the Independent Regulatory Review

1 Commission.

2 Ms. Pachter Schulder informed the Board that the
3 CRNP Amendments, the ABC-MAP Opioid Education, and
4 Organ and Tissue Donation regulations still need to be
5 done and would be completed after the Nursing
6 Education Programs regulation. She noted the
7 Volunteer License regulations would be drafted as a
8 group with other regulations.]

9

10 Pennsylvania Legislative Update

11 [Judith Pachter Schulder, Esquire, Board Counsel,
12 noted that the legislature adopted three resolutions
13 involving nurses: School Nurse Day, Nurses Week - May
14 6-12, and Skilled Nursing Care Week - May 9-15.

15 Ms. Pachter Schulder referred to House Bill 239.
16 She mentioned the Board previously saw an EpiPen bill
17 and the responsibilities of school nurses, noting
18 House Bill 239 added a provision for adrenal
19 insufficiency.

20 Ms. Pachter Schulder referred to House Bill 1440
21 regarding medical imaging and radiation therapy, which
22 could impact the Board.

23 Ms. Pachter Schulder stated the legislature was
24 in session and taking up the issue of a concurrent
25 resolution with regard to removing some of the

1 restrictions under the COVID-19 emergency declaration.
2 She noted that Board waivers and others within the
3 Bureau were set to end September 30, 2021, unless
4 terminated prior to that in light of the resolution.]

5

6 Report of Board Chairperson

7 [Kristin Malady, BSN, RN, Chair, thanked all of the
8 nurses who continue to be on the frontlines of the
9 pandemic working in acute care and all of the
10 volunteers who participated in mass vaccination sites
11 and helped with getting the message out that vaccines
12 are safe and effective. She encouraged everyone to
13 receive a vaccination.

14 Chair Malady also encouraged the Board to look at
15 the NCSBN website and look at the Tri-Council for
16 Nursing report about the lessons learned during the
17 challenging times dealing with COVID and regulations
18 and recommendations for moving forward. She
19 encouraged everyone to also look at their website for
20 the new report, the Future of Nursing 2020-2030.

21 Sue Petula, PhD, MSN, RN, NEA-BC, FRE, Nursing
22 Education Advisor, noted the American Association of
23 Colleges of Nursing's AACN Essentials was published in
24 April 2021, followed by approval of all deans and
25 chairpersons.

1 Chair Malady noted there have been some changes
2 in education that everyone needs to be aware of and
3 keep focus on.]

4

5 Appointment - Widener University Proposal for an
6 Adult-Gerontology Acute Care (AGAC) Certified
7 Registered Nurse Practitioner (CRNP) MSN, post-
8 master's certificate, and BSN-DNP Programs
9 [Mary Powell, PhD, CRNP, CDCES, Associate Dean of
10 Graduate Nursing Programs and Associate Professor,
11 Widener University; introduced Andy A. Workman, PhD,
12 Provost; Kim C. O'Halloran, PhD, Vice Provost for
13 Academic Affairs and Strategy; Anne Krouse, PhD, MBA,
14 RN-BC, Dean and Professor, School of Nursing; Mary
15 Francis, PhD, CRNP, Director, AGACNP Program; and
16 Jihane Hajj, DrNP, CRNP, Assistant Professor.

17 Dr. Powell presented to the Board to discuss
18 Widener University's proposals for a master's degree,
19 post-master's certificate, and a BSN-DNP adult-
20 gerontology acute care nurse practitioner. She noted
21 Widener built on their strong foundation with the
22 Board-approved family nurse practitioner program. She
23 noted developing three clinical courses in compliance
24 with the National Organization of Nurse Practitioner
25 Faculties (NONPF) essentials and competencies for the

1 adult-gerontology acute care nurse practitioner. She
2 noted necessary credits for the programs.

3 Chair Malady commented that the Board is aware
4 that Widener has very successful programs already
5 being provided. She mentioned that NONPF essentials
6 speak to independent practice and questioned whether
7 Widener is making it clear to students that it is not
8 part of what is allowed in Pennsylvania.

9 Dr. Powell noted utilizing NONPF competencies,
10 which address independent practice on each of the
11 clinical evaluations and present throughout the
12 curriculum, where in Pennsylvania, nurse practitioners
13 practice in collaboration with a Pennsylvania licensed
14 physician but within the scope outlined in
15 Pennsylvania.

16 Chair Malady questioned whether Widener would
17 expand course curriculum to incorporate things like
18 mental health issues.

19 Dr. Powell stated Widener University incorporates
20 social determinants of health in their master's
21 program regarding underserved populations and also
22 promotes vaccine literacy throughout the curriculum.
23 She mentioned having a course on current perspectives
24 that could include some of those issues as well.

25 Dr. Coughlin questioned whether Widener has any

1 concerns identifying and having qualified preceptors
2 for students.

3 Dr. Powell stated Widener University identified a
4 cadre of preceptors ready to step up to the plate,
5 along with Dr. Francis and Dr. Krouse, who are acute
6 care nurse practitioners in Level 1 trauma centers and
7 help with preceptors. She thanked Dr. Workman, Dr.
8 O'Halloran, and Dr. Krouse.

9 Dr. Powell noted Widener University has been
10 grant funded and has had a clinical placement manager
11 for 10 years and now has a University-funded graduate
12 clinical placement manager to help with placement.

13 Dr. Krouse thanked the Board for considering
14 their proposal and Ms. Wendy Miller for her
15 assistance.]

16 ***

17 Report of Committees - Probable Cause Screening
18 Committee

19 [Sue E. Hertzler, LPN, noted the Committee approved 9
20 Petitions for Appropriate Relief and 13 Petitions for
21 Mental/Physical Examinations but issued no Immediate
22 Temporary Suspension Orders.]

23 ***

24 Application Review Committee

25 [Kristin Malady, BSN, RN, Chair, reported moving

1 several applications forward through the process.]

2 ***

3 Advanced Practice - Education, Regulation, &
4 Application Committee - No Report

5 ***

6 RN/PN Practice, Education, & Regulation/Advanced
7 Practice Committee

8 [Linda L. Kmetz, PhD, RN, Vice Chair, noted the
9 Committee has an appointment at 10:20 a.m.]

10 ***

11 Dietitian-Nutritionist Committee

12 [Kessey J. Kieselhorst, MPA, RD, LDN, CPHQ, thanked
13 all the licensed dietitian-nutritionists for their
14 great work on the frontline during the pandemic.]

15 ***

16 IT & Communication Issues Committee

17 [Theodore Stauffer, Designee of the Commissioner,
18 Bureau of Professional and Occupational Affairs,
19 stated the Department is moving forward to a new e-
20 agenda system but noted issues with the one selected,
21 so the Department is working quickly to provide a
22 replacement solution.]

23 ***

24 Report of Board Members Who Attended a Meeting on
25 Behalf of the Board - No Report

1 ***

2 Report of Executive Secretary

3 [Wendy J. Miller, MSN, RN, Executive Secretary,
4 reported the last registered nurse (RN) renewal closed
5 on April 30 with the renewal of approximately 90
6 percent of RNs, 92 percent of CRNPs, and 91 percent of
7 clinical nurse specialists.

8 Ms. Miller noted an offer has been extended to a
9 candidate for the Nursing Education Advisor position
10 with the hopes of having her onboard within the next
11 month. She noted there are currently two Nursing
12 Practice Advisor positions posted on the
13 Commonwealth's job site that close tomorrow and
14 encouraged interested candidates to apply.]

15 ***

16 New Business

17 [Kristin Malady, BSN, RN, Chair, noted the National
18 Council of State Boards of Nursing's 2021 NCSBN Annual
19 Meeting August 18-19 is being held virtually and
20 encouraged those who wish to attend to contact Cindy
21 Miller or Wendy Miller. She noted the Summary of
22 Recommendations to the 2021 Delegate Assembly on the
23 agenda and the need to designate the Board's
24 delegates.

25 Chair Malady also mentioned the 2021 NCSBN NCLEX

1 Conference on September 30 will be held virtually and
2 for those who wish to attend to contact Cindy Miller
3 or Wendy Miller.]

4

5 [The Board recessed from 9:53 a.m. until 10:00 a.m.]

6

7 [Kristin Malady, BSN, RN, Vice Chair, thanked Dr. Lori
8 Kovach for her service to the Board.]

9

10 Appointment - DeSales University Proposals for
11 Family/Individual Across the Lifespan, Psychiatric
12 Mental Health, and Adult-Gerontology Acute Care
13 BSN-DNP CRNP Programs

14 [Jacqueline M. Ochsenreither, DNP, RN, CRNP, PPCNP-BC,
15 Director of Doctor of Nursing Practice Program and
16 Assistant Professor, DeSales University, provided an
17 overview of DeSales University's nursing programs over
18 the past several years. She stated the post-DNP
19 program offers a leadership track and executive
20 leadership track, both with the Master of Business
21 Administration (MBA) option.

22 Dr. Ochsenreither addressed the BSN-DNP track to
23 supplement DeSales University's DNP program offerings.
24 She noted their goal is to provide students the
25 knowledge and skill sets necessary to assess,

1 diagnose, and treat patients and families in order to
2 improve patient care and care outcomes, while
3 integrating nursing science with best practices
4 evidenced by other disciplines.

5 Dr. Ochsenreither noted being confident that the
6 blending of MSN and DNP programs with the newly
7 created BSN-DNP CRNP track would result in a creation
8 of nurse leaders and care providers who will transform
9 health care, advancing the profession of nursing.

10 Dr. Ochsenreither announced that the Commission
11 on Collegiate Nursing Education (CCNE) informed them
12 that the Division of Nursing at DeSales University has
13 earned reaccreditation for 10 years and will expire in
14 June 2031.

15 Dr. Ochsenreither thanked everyone for their
16 attention and efforts in reviewing the BSN-DNP CRNP
17 track application.

18 Chair Malady commended DeSales University on
19 their proposal and is excited to see more psychiatric
20 mental health programs.

21 Dr. Kmetz questioned whether DeSales University
22 had any difficulty finding preceptors or faculty for
23 the program.

24 Dr. Ochsenreither commented that it is difficult,
25 but they were able to find preceptors, noting one

1 preceptor would have the ability to work across all of
2 the programs, not only undergraduate and other
3 graduates from their post-master's DNP program who
4 would work in psych and continue to work in their
5 psych program.]

6

7 Committee Meetings - RN/PN Practice, Education,
8 & Regulation/Advanced Practice
9 [Carole Clarke Smith, Esquire, Senior Counsel,
10 referred to the revised Act 53 list for the Board's
11 review, noting areas highlighted would be crimes
12 removed from the list. She noted contraband would be
13 limited to only the sections that deal with providing
14 controlled substances, drugs, or drug paraphernalia.

15 Chair Malady mentioned the Board looked at very
16 specific things and is fine with the revised list and
17 removing those crimes.

18 Ms. Pachter Schulder read the crimes to be
19 removed from the list for public members who do not
20 have access for review: Ethnic intimidation; Threat
21 to use weapon of mass destruction; False imprisonment;
22 Causing or risking catastrophe if involving releasing
23 poison gas; Criminal mischief; Theft of property lost,
24 mislaid or delivered by mistake; Theft of services;
25 Theft by failure to make required disposition of funds

1 received; Unlawful possession of retail or library
2 theft instruments; Theft of trade secrets; Theft of
3 unpublished dramas and musical compositions; Theft of
4 leased property; Theft from a motor vehicle; Theft of
5 secondary metal; Fraudulent destruction, removal or
6 concealment of recordable instruments; Bad checks;
7 Rigging publicly exhibited contest; Defrauding secured
8 creditors; Fraud in insolvency; Receiving deposits in
9 a failing financial institution; Misapplication of
10 entrusted property and property of government or
11 financial institutions; Falsely impersonating persons
12 privately employed; Contraband (This would be limited
13 to only these sections dealing with controlled
14 substances, drugs and drug paraphernalia.); Aggravated
15 cruelty to animals; Cruelty to animals; Open lewdness;
16 Obscene and other sexual materials and performances;
17 Public exhibition of insane or deformed person;
18 Corruption of minors (This is already covered under
19 Sexual Offenses.); False report of theft or conversion of
20 vehicle; Application for certificate of title or
21 registration; Altered, forged or counterfeit documents and
22 plates; and Fraudulent use or removal of registration plate.

23 The Board discussed whether it desired to remove
24 "Aggravated cruelty to animals" and "Cruelty to
25 animals" and the connection between violence to people

1 and violence to animals.

2 Dr. Coughlin commented that her position would be
3 to keep it on the list. She noted the connection
4 would be there when looking at the profession where
5 those who are able to abuse an animal builds
6 foundation and support to keep it on the list.

7 Ms. Kerns stated she would be in favor of keeping
8 it on the list because the language reads that it may
9 constitute grounds to refuse to issue, suspend, or
10 revoke but is not automatic.

11 Ms. Clarke Smith commented that nurses by
12 definition cannot practice on animals and did not
13 believe other health professions have those crimes on
14 their list. She also mentioned it might be a struggle
15 to get the regulation to move forward if those crimes
16 stay on the list.

17 Ms. Pachter Schulder stated the list is what
18 gives the presumption but is not a bar from the
19 Board's consideration. She questioned whether the
20 Board would remove it if it poses a problem for the
21 regulation to move forward.

22 Dr. Coughlin commented that she did not want to
23 prolong the regulation and would remove it after
24 listening to the information as the Board could
25 analyze it and see it for the safety of the public and

1 citizens.

2 Ms. Pachter Schulder commented that it does not
3 remove the Board's ability to analyze those crimes
4 later but just removes the presumption.

5 Maria C. Battista, JD, EdD, Director of Policy
6 and Government Affairs, Pennsylvania Coalition of
7 Nurse Practitioners, questioned when the amended list
8 would be available online.

9 Ms. Clarke Smith informed Dr. Battista that the
10 list would be available tomorrow.

11 Brendan Lynch, Esquire, Community Legal Services
12 (CLS), thanked the Board for taking Community Legal
13 Services' concerns seriously and considering revising
14 the list. He appreciated the points Ms. Pachter
15 Schulder made, where the Board would have the
16 opportunity to review offenses.

17 Mr. Lynch stated many of the most commonly
18 charged offenses seen at Community Legal Services are
19 charged against a very wide number of people for a
20 wide range of behaviors in a wide range of settings.

21 Mr. Lynch mentioned that the presumption would be
22 a serious barrier to many people and strongly urged
23 the Board to consider those crimes, especially some of
24 the misdemeanor offenses, that would impose the
25 barrier of presumption for people to overcome and

1 serve as a discouragement for people pursuing nursing
2 education if they remain on the list.

3 Mr. Lynch noted CLS remains available to consult
4 with the Board and Board Counsel and would be happy to
5 have further discussion.]

6 ***

7 CHAIR MALADY:

8 I entertain a motion to adopt the list
9 as revised.

10 DR. COUGHLIN:

11 So moved.

12 DR. KMETZ:

13 Second.

14 CHAIR MALADY:

15 All in those in favor? All those
16 opposed? Any abstentions?

17 [The motion carried unanimously.]

18 ***

19 [Cynthia K. Montgomery, Esquire, Deputy Chief
20 Counsel/Regulatory Counsel, Department of State,
21 addressed 16A-5140 regarding Child Abuse Reporting
22 Requirements. She commented that the Board's proposed
23 rulemaking received comments from the Independent
24 Regulatory Review Commission (IRRC) and provided
25 documents for the Board's review. She mentioned that

1 the comments were primarily clarity edits and did not
2 change it substantively.

3 Ms. Montgomery addressed IRRC's first comment,
4 where the Board did not amend subchapters C and H for
5 certified registered nurse practitioners (CRNPs) and
6 clinical nurse specialists (CNSs), asking why the
7 application or continuing education requirements were
8 not amended in those subchapters.

9 Ms. Montgomery commented that the courses get
10 applied in the Pennsylvania Licensing System (PALS) to
11 the individual's education profile, and when an
12 individual renews a license, PALS checks to make sure
13 a course was taken within the prior 24 months and
14 applies it to all of the credentials a nurse would
15 hold. She noted the same applies for RNs licensed by the
16 State Board of Nursing and a certified nurse midwife licensed
17 by the State Board of Medicine.

18 Ms. Montgomery suggested making amendments to the
19 State Board of Nursing and State Board of Medicine
20 section imposing the mandatory training requirements
21 at § 21.508(b) for nursing to clarify. She suggested
22 adding clarification in (b) to read, if a licensee
23 holds more than one license or certificate issued by
24 the Board or holds a license issued by another
25 licensing board within the Bureau that requires

1 mandatory training in child abuse recognition and
2 reporting, credit for completion of an approved course
3 would be applied to both credentials.

4 Ms. Montgomery questioned whether the Board
5 wanted to add clarifying language or cross references
6 in subchapters C and H for CRNPs and CNSs.

7 Ms. Montgomery stated IRRC suggested the Board
8 provide that in future rulemaking, and she conferred
9 with Deputy General Counsel, who does all of the
10 regulatory work at the Office of General Counsel
11 (OGC), noting it does not expand the scope of the
12 rulemaking because the requirements apply and just
13 adding a cross reference would not expand the scope of
14 the rulemaking. She provided the Board with the
15 options of either leaving it with the amendments
16 suggested or also amending subchapters C and H.

17 Chair Malady recommended also amending the
18 subchapters for clarity.

19 Ms. Montgomery will revise the final annex and
20 draft the preamble and the rest of the regulatory
21 documents and bring them back for a vote at a future
22 Board meeting.

23 Ms. Montgomery referred to § 21.20 regarding
24 Licensure by examination and by extension §§ 21.28(f),
25 21.131(d) and (e), 21.150, 21.155(f), and

1 21.723(b)(3). She noted the Board asked the applicant
2 to submit proof of completion of 3 hours of training;
3 however, it is the approved course provider who
4 actually submits the completion data, and IRRC has
5 asked the Board to revise these sections for clarity.

6 Ms. Montgomery provided the suggested response,
7 where each section would be amended in the final-form
8 rulemaking to require the applicants to complete the
9 required training and/or "cause to be submitted" the
10 proof of completion of the mandated reporter training.
11 She is also suggesting an amendment where the Board
12 would not issue or renew a license unless they have
13 received an electronic report from an approved course
14 provider documenting attendance or participation by
15 the applicant or licensee.

16 Ms. Montgomery referred to § 21.501 regarding
17 definitions where IRRC points out that it would
18 improve clarity to use the defined term "person
19 responsible for the child's welfare" in the definition
20 of "perpetrator," specifically in subparagraphs (i)(D)
21 and (ii)(D).

22 Ms. Montgomery noted that the definition of
23 "perpetrator" was copied verbatim from the Child
24 Protective Services Law but IRRC believed it would
25 improve clarity. She provided a revised definition of

1 "perpetrator."

2 Ms. Montgomery noted changes to "serious physical
3 neglect," where IRRC points out that the phrase "when
4 committed by a perpetrator" was left out of this
5 definition and asks the Board to revise the definition
6 to include the omitted language. She stated the Board
7 originally omitted the language to not dissuade
8 individuals from making a report if they did not know
9 who was responsible or imply that they had a duty to
10 determine whether the individual would be considered
11 "a perpetrator."

12 Ms. Montgomery stated she amended the definition
13 to include the omitted language and made other
14 suggested edits that provide additional clarity that a
15 mandated reporter is not required to identify the
16 person responsible in order to make the report.

17 Ms. Montgomery noted the next comment from IRRC
18 is that the Board did not include provisions that were
19 included in the Child Protective Services Law at
20 § 6311(b)(2) and (3). She noted an individual still
21 has to make a report even if someone does not know who
22 is responsible for suspected child abuse.

23 Ms. Montgomery noted making paragraph 1 the
24 general rule and the addition of (2) nothing in this
25 subsection shall require a child to come before the

1 mandated reporter to make a report of suspected child
2 abuse and (3) nothing in this subsection shall require
3 the mandated reporter to identify the person
4 responsible for the child abuse to make a report of
5 suspected child abuse.

6 Ms. Montgomery addressed another comment where
7 the Board omitted language included in § 6314 of the
8 Child Protective Services Law that requires mandated
9 reporters to make certain materials subject to the
10 court available to law enforcement officials in the
11 course of investigating cases of child abuse. She
12 mentioned IRRC suggested the statutory language be
13 added to § 21.503, which she did.

14 Ms. Montgomery addressed IRRC's comment in §
15 21.508(a), where the Board did not address how applicants
16 taking the training document and report completion of the
17 training and suggested clarifying (a) by including the
18 same language as (b), where individuals applying to
19 the Board for an initial license shall have completed
20 at least 3 hours of training in Child Abuse
21 Recognition and Reporting requirements which has been
22 approved by the Department of Human Services and the
23 Bureau as set forth in § 21.509.

24 Ms. Montgomery commented that the Board is
25 clarifying that the Board would not issue a license or

1 certificate unless the Bureau has received an
2 electronic report from an approved course provider
3 documenting the attendance or participation by the
4 applicant or the applicant has obtained an exemption
5 under Subsection (c), which would be added to
6 § 21.508(a) to be consistent with § 21.508(b).

7 Ms. Montgomery referred to § 21.131(b), where a
8 registered nurse is not required to meet the
9 continuing education requirements on the first renewal
10 immediately following license, noting IRRC wants to
11 know how the Board would implement the child abuse
12 training requirement.

13 Ms. Montgomery stated there was no exception in
14 the Child Protective Services Law (CPSL) that would
15 excuse an RN from complying with mandated training
16 requirements the first time they renew. She addressed
17 PALS functionality, where it was programmed to look
18 back 24 months to see if the licensee completed a
19 course.

20 Ms. Montgomery commented that an individual who
21 is in an April cohort who takes the training and is
22 licensed somewhere during a normal renewal period
23 would be outside the normal 24-month period when they
24 renew.

25 Ms. Montgomery recommended amending § 21.131(b)

1 to provide an exception for the mandatory continuing
2 education and child abuse recognition and reporting to
3 read, "an applicant applying for initial licensure in
4 the Commonwealth would not be required to meet the
5 continuing education requirement on the first renewal
6 immediately following licensure, except for the
7 mandatory continuing education in child abuse
8 recognition and reporting required under § 21.508(b)."

9 Ms. Montgomery commented that the system would
10 not prompt an individual to take the course again if a
11 licensee had taken the course within the prior 24
12 months, noting it depends on initial licensure and
13 when their first renewal occurs.

14 Ms. Wendy Miller further explained that when an
15 applicant for licensure by endorsement applies in
16 August and does the child abuse at that time, the
17 system will randomly assign the licensee to a renewal
18 cohort that is less than two years, so they would not
19 exceed the two-year renewal period. She stated if
20 they were assigned to the October 31 renewal cohort,
21 when that October 31 renewal comes up, PALS looks back
22 to the 24 months.

23 Ms. Wendy Miller stated if the child abuse
24 requirement noted in August is within 24 months of
25 that October 31 renewal, PALS will recognize that

1 requirement to have been completed; however, if in the
2 24-month lookback, it would be outside the 24 months
3 when the renewal is submitted, the licensee would
4 receive an auto-generated message from PALS that the
5 mandatory child abuse must be completed as a condition
6 of renewal.

7 Ms. Montgomery noted IRRC also raised concerns
8 with § 21.508(c) relating to exemptions, where
9 standards for documentation and evaluation are vague,
10 noting the subsection does not specify if the
11 exemption is limited to one biennial renewal period,
12 and the process for notification of approval or denial
13 is not stated. She mentioned similar comments were
14 made to other boards.

15 Ms. Montgomery stated most boards find it
16 difficult to establish standards for acceptable
17 documentation because it varies depending on what the
18 reason is the person is asking for an exemption;
19 however, most boards will grant an exemption if the
20 requirement is duplicative of other training they took
21 or unnecessary under the circumstances and provided an
22 example.

23 Ms. Montgomery suggested amendments to address
24 all of the comments by clarifying that for purposes of
25 licensure renewal any exemptions for training must

1 have been completed during the relevant biennial
2 renewal period. She noted the clarification was added
3 to subsection (c)(1), which is for individuals who
4 take comparable training under the Public School Code.
5 She mentioned the second one is for people the
6 Department of Human Services requires to do the
7 training.

8 Ms. Montgomery suggested amending paragraph (3),
9 where the applicant submits documentation acceptable
10 to the board demonstrating why the applicant or
11 licensee should not be subject to the training or CE
12 requirement. She noted the amendment adds that the
13 Board may grant the exemption if it finds that
14 completion of the training or continuing education
15 requirement is duplicative or unnecessary under the
16 circumstances but is not enough that the applicant or
17 licensee states that they do not include children in
18 their practice.

19 Ms. Montgomery noted the addition of subsection
20 (d), where exemptions granted under subsection (c) are
21 applicable only for the biennial renewal period for
22 which the exemption is requested. She mentioned that
23 if an exemption is granted, the license or certificate
24 would be issued or renewed, as applicable. She stated
25 if an exemption is denied, the applicant or licensee

1 would receive a discrepancy notice by email notifying
2 them of the need to complete an approved course or
3 submit additional documentation in support of their
4 request for an exemption.

5 Ms. Montgomery noted IRRC pointed out a
6 typographical error in § 21.721(c) suggesting the term
7 "submit" should be deleted, which has been done. IRRC
8 also pointed out clarity issues in the Annex and
9 Regulatory Analysis Form.

10 Ms. Montgomery will add cross references for
11 CRNPs and CNSs to the draft Annex and draft the
12 Preamble with the responses to IRRC's comments and
13 bring it back to a future Board meeting for a vote.

14 Ms. Pachter Schulder explained the process, where
15 Ms. Montgomery will bring those back, the Board will
16 adopt those as final before going through the
17 regulatory process again.

18 Ms. Pachter Schulder addressed extension of the
19 waivers, where the current thinking is that it would
20 be extended through the September date. She mentioned
21 notifications will be posted on the Board's website
22 and the Department's website for licensees and noted
23 ongoing discussion regarding email blasts if not
24 extended.

25 Ms. Pachter Schulder addressed the importance of

1 notifying individuals who received temporary practice
2 permit extensions that went 90 days past the emergency
3 declaration date will be expiring.

4 Marc Farrell, Deputy Policy Director, Department
5 of State, announced that the online Pennsylvania
6 Legislative Services noted House Bill 854 passed
7 unanimously by the Senate, which extends waivers till
8 September.

9 Jerry J. Livingston, Democratic Executive
10 Director, Senate Consumer Protection & Professional
11 Licensure Committee, further explained that the Senate
12 is currently debating the Resolution, which would
13 effectively terminate the Disaster Declaration, but an
14 arrangement has been made between the Governor's
15 Office and leaders in both chambers that House Bill
16 854 would go back over to the House and extend most of
17 the waivers tied to the Disaster Declaration through
18 the end of September.]

19

20 Miscellaneous

21 [Judith Pachter Schulder, Esquire, Board Counsel,
22 provided a summary of the letter received from Eastern
23 Center for Arts and Technology requesting a faculty
24 extension. She requested Ms. Carol Duell provide
25 information regarding when Ms. Maureen Rastetter is

1 scheduled to teach, where Eastern Center for Arts and
2 Technology has been advertising for the position, and
3 what other arrangements will be made if the Board
4 denies their request.

5 Carol Duell, MSN, RN, PN Program Coordinator,
6 Eastern Center for Arts and Technology, explained that
7 Ms. Maureen Rastetter teaches clinical at one of their
8 long-term care sites for the full-time program. She
9 has been consistent and does Thursdays and Fridays
10 with one group of about six students and is a terrific
11 instructor.

12 Ms. Duell stated Ms. Rastetter started her
13 Bachelor of Science in Nursing and did look at moving
14 forward but never finished. She mentioned looking for
15 faculty on Indeed, and people are interested but do
16 not meet their qualifications.

17 Ms. Duell commented that the Eastern Center for
18 Arts and Technology would be hard-pressed to find
19 somebody to fill those Thursdays and Fridays at that
20 site.

21 Chair Malady stated the Board would be equally
22 hard-pressed to allow a program to continue with an
23 instructor who has no interest in meeting regulatory
24 requirements and where the program does not know where
25 it is going to get someone to meet those regulatory

1 requirements.

2 Chair Malady commented that the Eastern Center
3 for Arts and Technology appears to be close to a large
4 population where advertising would be helpful, and it
5 makes it difficult for her personally to say yes
6 because the person has no intentions of going
7 forward.]

8

9 [K. Kalonji Johnson, Commissioner, Bureau of
10 Professional and Occupational Affairs, entered the
11 meeting at 10:32 a.m. and exited the meeting at
12 10:33 a.m.]

13

14 Report of Commissioner - No Report

15

16 [Pursuant to Section 708(a)(5) of the Sunshine Act,
17 the Board entered into Executive Session with Board
18 Counsel Judith Pachter Schulder, Carole Clarke Smith,
19 Ariel O'Malley, Todd Kriner, and Nicole L. VanOrder at
20 11:10 a.m. for the purpose of conducting quasi-
21 judicial deliberations on the matters listed on the
22 Report of Board Counsel, Report of Prosecutorial
23 Division, applications for CRNP programs, application
24 for extension of a faculty extension, as well as a
25 personnel matter. The Board returned to Open Session

1 at 12:43 p.m.]

2

3 MOTIONS:

4 MS. PACHTER SCHULDER:

5 During Executive Session, the Board
6 engaged in quasi-judicial deliberations
7 on the matters listed on the Report of
8 Board Counsel, Report of Prosecutorial
9 Division, applications for CRNP
10 programs, an application for a faculty
11 extension, as well as a personnel
12 matter.

13 Board members who recuse themselves
14 will be identified with each of the
15 various motions.

16 Is there a motion to adopt the VRP
17 Consent Agreements at items 2 through
18 10?

19 DR. KMETZ:

20 So moved.

21 MS. HERTZLER:

22 Second.

23 CHAIR MALADY:

24 All those in favor? Opposed?

25 Abstentions?

1 [The motion carried. Mr. Stauffer abstained from
2 voting on the motion.]

3 ***

4 MS. PACHTER SCHULDER:

5 Is there a motion to adopt the Consent
6 Agreement at Case No. 18-51-011754 for
7 which members Kerns and Luchs are
8 recused?

9 DR. COUGHLIN:

10 So moved.

11 MS. KIESELHORST:

12 Second.

13 CHAIR MALADY:

14 All those in favor? Opposed?

15 Abstentions?

16 [The motion carried. Members Kerns and Luchs recused
17 themselves from deliberations and voting on the
18 motion. Mr. Stauffer abstained from voting on the
19 motion. The Respondent's name in Case No. 18-51-
20 011754 is William Banner Addis, RN.]

21 ***

22 MS. PACHTER SCHULDER:

23 Is there a motion to adopt the following
24 Consent Agreements for which members
25 Hertzler and Luchs are recused: Case No.

1 20-51-002684 and Case No. 20-51-006940?

2 DR. KMETZ:

3 So moved.

4 DR. COUGHLIN:

5 Second.

6 CHAIR MALADY:

7 All those in favor? Opposed?

8 Abstentions?

9 [The motion carried. Members Hertzler and Luchs
10 recused themselves from deliberations and voting on
11 the motion. Mr. Stauffer abstained from voting on the
12 motion. The Respondent's name in Case No. 20-51-
13 002684 is Celli Ann Wisneski, RN. The Respondent's
14 name in Case No. 20-51-006940 is Tiffany Anne Hafner,
15 RN.]

16 ***

17 MS. PACHTER SCHULDER:

18 Is there a motion to adopt the following
19 Consent Agreement for which member Luchs
20 is recused at Case No. 19-51-015846?

21 DR. COUGHLIN:

22 So moved.

23 DR. KMETZ:

24 Second.

25 CHAIR MALADY:

1 All those in favor? Opposed?

2 Abstentions?

3 [The motion carried. Member Luchs recused herself
4 from deliberations and voting on the motion. Mr.
5 Stauffer abstained from voting on the motion. The
6 Respondent's name in Case No. 19-51-015846 is Tina
7 Marie Williams, RN.]

8 ***

9 MS. PACHTER SCHULDER:

10 Is there a motion to approve the
11 following Consent Agreement at Case No.
12 18-51-010318 for which members Hertzler
13 and Kerns are recused?

14 DR. KMETZ:

15 So moved.

16 MS. LUCHS:

17 Second.

18 CHAIR MALADY:

19 All those in favor? Opposed?

20 Abstentions?

21 [The motion carried. Members Hertzler and Kerns
22 recused themselves from deliberations and voting on
23 the motion. Mr. Stauffer abstained from voting on the
24 motion. The Respondent's name in Case No. 18-51-
25 010318 is Pamela Tashjian, LPN.]

1 ***

2 MS. PACHTER SCHULDER:

3 Is there a motion to approve the
4 following Consent Agreements for which
5 members Hertzler, Kerns, and Luchs are
6 recused at Case No. 20-51-012374, Case
7 No. 20-51-014757, and Case No. 21-51-
8 002694?

9 DR. COUGHLIN:

10 So moved.

11 DR. KMETZ:

12 Second.

13 CHAIR MALADY:

14 All those in favor? Opposed?

15 Abstentions?

16 [The motion carried. Members Hertzler, Kerns, and
17 Luchs recused themselves from deliberations and voting
18 on the motion. Mr. Stauffer abstained from voting on
19 the motion. The Respondent's name in Case No. 20-51-
20 012374 is Lisa A. Finefrock, LPN; Case No. 20-51-
21 014757 is Shelly Moore, LPN; and Case No. 21-51-002694
22 is Nicole M. Preno, RN.]

23 ***

24 MS. PACHTER SCHULDER:

25 Is there a motion to deny the Consent

1 Agreement on the grounds that it is too
2 lenient in Case Nos. 20-51-006551 & 19-
3 51-014241 at item 19 for which there is
4 no recusal?

5 DR. KMETZ:

6 So moved.

7 MS. HERTZLER:

8 Second.

9 CHAIR MALADY:

10 All those in favor? Opposed?

11 Abstentions?

12 [The motion carried. Mr. Stauffer abstained from
13 voting on the motion.]

14 ***

15 MS. PACHTER SCHULDER:

16 Is there a motion to table the Consent
17 Agreement at Case No. 20-51-014628 until
18 the Board receives a copy of the guilty
19 plea colloquy referenced by the
20 Prosecuting Attorney during her
21 presentation of the Consent Agreement?

22 DR. KMETZ:

23 So moved.

24 MS. LUCHS:

25 Second.

1 CHAIR MALADY:

2 All those in favor? Opposed?

3 Abstentions?

4 [The motion carried. Mr. Stauffer abstained from
5 voting on the motion.]

6 ***

7 MS. PACHTER SCHULDER:

8 Is there a motion to approve the
9 following Consent Agreements for which
10 there are no recusals at Case No. 20-51-
11 000656, Case No. 20-51-013473, Case No.
12 21-51-008459, Case No. 20-51-003966,
13 Case Nos. 20-51-012310 & 21-51-000823,
14 Case No. 19-51-002870, Case No. 20-51-
15 003454, Case No. 21-51-006476, Case No.
16 19-51-014676, and Case No. 20-51-003151?

17 DR. COUGHLIN:

18 So moved.

19 MS. LUCHS:

20 Second.

21 CHAIR MALADY:

22 All those in favor? Opposed?

23 Abstentions?

24 [The motion carried. Mr. Stauffer abstained from
25 voting on the motion. The Respondent's name in Case

1 No. 20-51-000656 is Christine A. Johnson, LPN; Case
2 No. 20-51-013473 is Marijane Kling, RN; Case No. 21-
3 51-008459 is Robert Michael Garofalo, RN; Case No. 20-
4 51-003966 is Kathy J. Gorton, RN; Case Nos. 20-51-
5 012310 & 21-51-000823 is Jack M. Williams, RN; Case
6 No. 19-51-002870 is Lauren Deborah Fiori, RN; Case No.
7 20-51-003454 is Kimberly Dawn Olson, LPN; Case No. 21-
8 51-006476 is Kathleen B. Middleton, RN; Case No. 19-
9 51-014676 is Charles Hart, LPN; and Case No. 20-51-
10 003151 is Daniel James Datillo, RN.]

11

12 MS. PACHTER SCHULDER:

13 Is there a motion to authorize Counsel
14 to prepare Adjudications and Orders in
15 the matters of Henry S. Kollie, LPN,
16 Case No. 19-51-002811; Lisa A.
17 Pritchard, LPN, Case No. 21-51-001830;
18 and Litonya Palmer, RN, Case No. 19-51-
19 012394?

20 DR. KMETZ:

21 So moved.

22 MS. HERTZLER:

23 Second.

24 CHAIR MALADY:

25 All those in favor? Opposed?

1 Abstentions?

2 [The motion carried. Mr. Stauffer abstained from
3 voting on the motion.]

4 ***

5 MS. PACHTER SCHULDER:

6 Is there a motion to enter default, deem
7 the facts admitted and authorize Counsel
8 to prepare Adjudications and Orders in
9 the matters of Laura Nannette Allen, RN,
10 Case No. 20-51-004428; Jennifer Jandt,
11 LPN, Case No. 20-51-006113; Jeremy
12 Jordan Simms, RN, Case No. 20-51-004691;
13 Charles Winefred Stacey, LPN, Case No.
14 19-51-014448; Anita Paige Thorne, LPN,
15 Case No. 18-51-006011; Courtney S.
16 Newman, RN, Case No. 19-51-013890; John
17 A. Ortiz, LPN, Case No. 18-51-007655;
18 Michael Edward Nelson, RN, Case No. 19-
19 51-005478; Monica Neely, RN, Case No.
20 17-51-11696; and Luisa Young, RN, Case
21 No. 19-51-016579?

22 MS. LUCHS:

23 So moved.

24 DR. KMETZ:

25 Second.

1 CHAIR MALADY:

2 All those in favor? Opposed?

3 Abstentions?

4 [The motion carried. Mr. Stauffer abstained from
5 voting on the motion.]

6 ***

7 MS. PACHTER SCHULDER:

8 Is there a motion to enter default, deem
9 the facts admitted and authorize Counsel
10 to prepare an Adjudication and Order in
11 the matter of Anita L. Brewer, RN, LPN,
12 Case No. 18-51-03312 for which member
13 Luchs is recused?

14 DR. KMETZ:

15 So moved.

16 MS. HERTZLER:

17 Second.

18 CHAIR MALADY:

19 All those in favor? Opposed?

20 Abstentions?

21 [The motion carried. Mr. Stauffer abstained from
22 voting on the motion.]

23 ***

24 MS. PACHTER SCHULDER:

25 Is there a motion to enter default, deem

1 the facts admitted and authorize Counsel
2 to prepare an Adjudication and Order in
3 the matter of Rhonda S. Rogers, LPN,
4 Case No. 19-51-008091 for which member
5 Kerns is recused?

6 DR. COUGHLIN:

7 So moved.

8 MS. LUCHS:

9 Second.

10 CHAIR MALADY:

11 All those in favor? Opposed?

12 Abstentions?

13 [The motion carried. Member Kerns recused herself
14 from deliberations and voting on the motion. Mr.
15 Stauffer abstained from voting on the motion.]

16 ***

17 MS. PACHTER SCHULDER:

18 Is there a motion to adopt the Hearing
19 Examiner's Proposal and substitute the
20 sanction in the matter involving Kiara
21 Cherin Johnson, LPN, Case No. 20-51-
22 010982 for which members Hertzler,
23 Kerns, and Luchs are recused?

24 DR. KMETZ:

25 So moved.

1 DR. COUGHLIN:

2 Second.

3 CHAIR MALADY:

4 All those in favor? Opposed?

5 Abstentions?

6 [The motion carried. Members Hertzler, Kerns, and
7 Luchs recused themselves from deliberations and voting
8 on the motion. Mr. Stauffer abstained from voting on
9 the motion.]

10 ***

11 MS. PACHTER SCHULDER:

12 Is there a motion to adopt the Hearing
13 Examiner's Proposal for Fay Christine
14 Nichols, RN, Case No. 19-51-007379?

15 DR. KMETZ:

16 So moved.

17 DR. COUGHLIN:

18 Second.

19 CHAIR MALADY:

20 All those in favor? Opposed?

21 Abstentions?

22 [The motion carried. Mr. Stauffer abstained from
23 voting on the motion.]

24 ***

25 MS. PACHTER SCHULDER:

1 Is there a motion to adopt the following
2 Draft Adjudications and Orders for which
3 there are no recusals of Veronica Cook
4 Fickes, LPN, Case No. 18-51-01150;
5 Judith Frances Franciscus, RN, Case No.
6 17-51-07171; Stanley C. Martin, Case No.
7 18-51-004782; Michael Anthony Maciupa,
8 RN, Case No. 18-51-011082; Beth Ann
9 Mackfee, RN, Case No. 19-51-002257;
10 Janice Marie Mendenhall, RN, Case No.
11 20-51-001693; Francis Genell Nickerson,
12 LPN, Case No. 18-51-008794; and Aimee L.
13 Poldy, RN, Case No. 19-51-006744?

14 DR. COUGHLIN:

15 So moved.

16 DR. KMETZ:

17 Second.

18 CHAIR MALADY:

19 All those in favor? Opposed?

20 Abstentions?

21 [The motion carried. Mr. Stauffer abstained from
22 voting on the motion.]

23 ***

24 MS. PACHTER SCHULDER:

25 Is there a motion to adopt the Draft

1 Adjudications and Orders for Jessica
2 Leigh Gesford, LPN, Case No. 18-51-
3 007069, and Amber Parker, RN, Case No.
4 19-51-007198 for which members Kerns
5 and Luchs are recused?

6 MS. HERTZLER:

7 So moved.

8 DR. KMETZ:

9 Second.

10 CHAIR MALADY:

11 All those in favor? Opposed?

12 Abstentions?

13 [The motion carried. Members Kerns and Luchs recused
14 themselves from deliberations and voting on the
15 motion. Mr. Stauffer abstained from voting on the
16 motion.]

17 ***

18 MS. PACHTER SCHULDER:

19 Is there a motion to adopt the Draft
20 Adjudication and Order for Shirley Ann
21 Swope, RN, LPN, Case No. 18-51-006898
22 for which member Luchs is recused?

23 DR. KMETZ:

24 So moved.

25 DR. COUGHLIN:

1 Second.

2 CHAIR MALADY:

3 All those in favor? Opposed?

4 Abstentions?

5 [The motion carried. Member Luchs recused herself
6 from deliberations and voting on the motion. Mr.
7 Stauffer abstained from voting on the motion.]

8 ***

9 MS. PACHTER SCHULDER:

10 Is there a motion to adopt the Draft
11 Adjudication and Order for Donald W.
12 Muendlein, RN, Case No. 20-51-002592 for
13 which members Hertzler, Kerns, and Luchs
14 are recused?

15 DR. KMETZ:

16 So moved.

17 CHAIR MALADY:

18 Do I have a second?

19 MS. KIESELHORST:

20 Second.

21 CHAIR MALADY:

22 All those in favor? Opposed?

23 Abstentions?

24 [The motion carried. Members Hertzler, Kerns, and
25 Luchs recused themselves from deliberations and voting

1 on the motion. Mr. Stauffer abstained from voting on
2 the motion.]

3 ***

4 MS. PACHTER SCHULDER:

5 The case of Carisa D. Zidik, RN, has
6 been withdrawn.

7 ***

8 MS. PACHTER SCHULDER:

9 Is there a motion to approve Widener
10 University's Proposals for MSN post-
11 master's and BSN-DNP programs in the
12 CRNP specialty of Adult-Gerontology
13 Acute Care?

14 DR. COUGHLIN:

15 So moved.

16 MS. LUCHS:

17 Second.

18 CHAIR MALADY:

19 All those in favor? Opposed?

20 Abstentions?

21 [The motion carried. Mr. Stauffer abstained from
22 voting on the motion.]

23 ***

24 MS. PACHTER SCHULDER:

25 Is there a motion to approve DeSales

1 University's Proposals for
2 Family/Individual Across the Lifespan,
3 Psychiatric Mental Health, and Adult-
4 Gerontology Acute Care BSN-DNP CRNP
5 Programs?

6 DR. KMETZ:

7 So moved.

8 MS. LUCHS:

9 Second.

10 CHAIR MALADY:

11 All those in favor? Opposed?

12 Abstentions?

13 [The motion carried. Mr. Stauffer abstained from
14 voting on the motion.]

15 ***

16 MS. PACHTER SCHULDER:

17 Is there a motion to deny the request of
18 Carol Duell on behalf of Eastern Center
19 for Arts and Technology for an extension
20 for its faculty member, Ms. Maureen
21 Rastetter, on the grounds that she has
22 not participated in obtaining her
23 bachelor's degree?

24 DR. KMETZ:

25 So moved.

1 MS. KERNS:

2 Second.

3 CHAIR MALADY:

4 All those in favor? Opposed?

5 Abstentions?

6 [The motion carried. Mr. Stauffer abstained from
7 voting on the motion.]

8 ***

9 [Judith Pachter Schulder, Esquire, Board Counsel,
10 noted Commissioner Johnson was present for about 25
11 minutes during Executive Session.]

12 ***

13 For the Board's Information

14 [Kristin Malady, BSN, RN, Chair, referred to the
15 Summary of Recommendations to the 2021 Delegate
16 Assembly in July for the Board's review. She
17 encouraged those who want to attend to contact Cindy
18 Miller or Wendy Miller.

19 Chair Malady also referred to the Department of
20 State Press Clip, where the Wolf Administration
21 supports CRNA designation for nurses.

22 Ms. Pachter Schulder informed the Board that a
23 calendar would be available for consideration at the
24 July meeting for 2022 meeting dates.]

25 ***

1 Adjournment

2 CHAIR MALADY:

3 Do I have a motion to adjourn?

4 DR. COUGHLIN:

5 So moved.

6 MS. HERTZLER:

7 Second.

8 CHAIR MALADY:

9 All those in favor?

10 [The motion carried unanimously]

11 ***

12 [There being no further business, the State Board of
13 Nursing Meeting adjourned at 1:01 p.m.]

14 ***

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CERTIFICATE

I hereby certify that the foregoing summary minutes of the State Board of Nursing meeting, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the State Board of Nursing meeting.



Evan Bingaman,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

STATE BOARD OF NURSING
REFERENCE INDEX

June 10, 2021

	TIME	AGENDA
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9	9:08	Official Call to Order
10		
11	9:08	Roll Call
12		
13	9:10	Introductions
14		
15	9:15	Adoption of Agenda
16		
17	9:15	Approval of Minutes
18		
19	9:15	Report of Prosecutorial Division
20		
21	9:31	Regulation Update
22		
23	9:32	Pennsylvania Legislative Update
24		
25	9:34	Report of Board Chairperson
26		
27	9:40	Appointment - Widener University
28		Proposal for an Adult Gerontology
29		Acute Care MSN and BSN-DNP CRNP
30		Program
31		
32	9:47	Report of Committees
33		
34	9:50	Report of Executive Secretary
35		
36	9:51	New Business
37		
38	9:53	Recess
39		
40	10:00	Return to Open Session
41		
42	10:00	Appointment - DeSales University
43		Proposals for Family/Individual
44		Across the Lifespan, Psychiatric
45		Mental Health and Adult Gerontology
46		Acute Care BSN-DNP CRNP Programs
47		
48	11:01	Committee Meetings - RN/PN Practice,
49		Education, & Regulation/Advanced
50		Practice

STATE BOARD OF NURSING
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TIME	AGENDA
11:10	Executive Session
12:43	Return to Open Session
12:43	Motions
1:00	For the Board's Information
1:01	Adjournment