State Board of Nursing June 5, 2023

3 4 5

1

2

BOARD MEMBERS:

6 7

8

9 10 Linda L. Kmetz, PhD, RN, Chair Arion R. Claggett, Acting Commissioner, Bureau of

Professional and Occupational Affairs Ann Michele Coughlin, DNP, MBA, RN, Vice Chair

11 Sue E. Hertzler, LPN

Linda A. Kerns, Esquire, Public Member Kristin Malady, BSN, RN 12 13

Bridget E. Vincent, MSN, CRNP, APN-BC, CCRN - Absent

15 Colby P. Hunsberger, DNP, RN, CNEcl

Tina D. Siegel, LPN 16 17

Charlene W. Compher, PhD, RD, LDN, FASPEN - Absent Donald H. Bucher, DNP, ACNP-BC, CCRN

19 20

18

14

COMMONWEALTH ATTORNEYS:

21 22 23

24

28 29

30

31

32

33

36

37

Carole Clarke Smith, Esquire, Senior Board Counsel Judith Pachter Schulder, Esquire, Board Counsel Ariel E. O'Malley, Esquire, Board Counsel

25 26 Todd P. Kriner, Esquire, Board Counsel 27

Megan E. Castor, Esquire, Board Counsel

William Newport, Esquire, Senior Board Prosecutor and Prosecution Co-Liaison

T'rese Evancho, Esquire, Board Prosecutor and Prosecution Co-Liaison

Codi M. Tucker, Esquire, Board Prosecutor

Kathryn E. Bellfy, Esquire, Board Prosecutor Trista Boyd, Esquire, Board Prosecutor

34 35 David J. Schertz, Esquire, Board Prosecutor

Matthew T. Sniscak, Esquire, Board Prosecutor

Alex Capitello, Legal Analyst, Department of State Aaron Rawdin, Legal Intern, Counsel Division

38 39 40

DEPARTMENT OF STATE AND BOARD STAFF:

41 42

43

44

45

46

47

48

49

50

Wendy Miller, MSN, RN, Executive Secretary Cynthia K. Miller, Board Administrator

Sue Petula, PhD, MSN, RN, NEA-BC, FRE, Nursing Education Advisor Annuitant

Leslie House, MSN, RN, Nursing Practice Advisor Susan Bolig, MSN, RN, Nursing Practice Advisor

Ann Marie Zvorsky, MSN, RN, CNE, Nursing Practice Advisor

Anthony Hong, Legal Assistant Supervisor, Prosecution

State Board of Nursing June 5, 2023

1

2

DEPARTMENT OF STATE AND BOARD STAFF: (Cont.)

6 7 8

9

10

11

12

13

14

15

16

17

Carolyn A. DeLaurentis, Esquire, Executive Deputy Chief Counsel, Department of State Danie Bendesky, Director of Intergovernmental

Affairs, Department of State

Andrew LaFratte, MPA, Executive Policy Specialist, Department of State

Marc Farrell, Esquire, Regulatory Counsel, Department of State

Debra Rand, Esquire, Chief Hearing Examiner, Department of State

Raymond Shapard, Information Technology, Department of State

18 19 20

ALSO PRESENT:

212223

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

49

50

Theresa Pietsch, PhD, RN, CRRN, CNE, Dean, School of Nursing and Health Sciences, Neumann University Judith Neubauer, MSN, AGPCNP-BC, Program Director Graduate Nursing, Neumann University

Rebecca Mueller, PhD, FNP-BC, Proposed Coordinator Family/Individual Across the Lifespan Option, Neumann University

Kathleen Barnes, PT, PhD, Interim Provost, Neumann University

Mary Beth Langdon, DNP, RN, MEDSURG-BC, CNE, Interim Program Director, UPMC Jameson School of Nursing Karen Morahan, PhD, RN, CNE, Director, UPMC Jameson School of Nursing at UPMC Hamot

Brandy Hershberger, DNP, MSN, RN, CEN, Chief Nursing Officer/Vice President of Academic Affairs, UPMC

Sharon Powell-Laney, RN, MSN, EdD, Director, The Rapha School

Micah McMillen, Acting Director, The Rapha School Sean Laney, IT Administrator, Financial Aid

Assistant & Compliance Officer, The Rapha School

Wendy Haislip, MSN, RN, Vice President and Chief Nursing Officer, Indiana Regional Medical Center

Deana Szentmiklosi, MSN, RN, NPD-BC, Director of Professional Practice, Indiana Regional Medical Center

48 Justin Keller, BSN, RN

Patricia A. Joseph, PhD, Provost, Dean of Faculty, Professor, Lincoln University

State Board of Nursing <u>June 5</u>, 2023

ALSO PRESENT: (Cont.)

Vilma Davis, PNP, BC, PhD, Director and Chair/Assistant Professor, Department of Nursing, Lincoln University

Khadijah Williams, MSN-ED, RN, Director of Nursing, Prism Career Institute

Latisha Hayes, DNP, APRN-BC, CNE, Corporate Director of Nursing, Prism Career Institute

Sharon Gordon, RN, Assistant Director of Nursing, Prism Career Institute

Adele Caruso, DNP, CRNP, FAANP, Pennsylvania Coalition of Nurse Practitioners

Louise S. Frantz, RN, BSN, MHA, Ed, Coordinator, Practical Nursing Program, Penn State Berks Heather Haines, BSN, RN, Coordinator, Practical

Nursing Program, Mifflin County Academy of Science & Technology

Larissa Hutchins, MSN, RN, CCRN, CCNS, NEA-BC, Director of Nursing Professional Development, Life Support Education and Outreach, Simulation Center, Children's Hospital of Philadelphia

Joshua Adams, DNP Student, Duquesne University

Kathleen Rundquist, MSN, RN, Nurse Administrator and Financial Aid Administrator, Franklin County Practical Nursing Program

Maggie Johnson, MSN, RN, Coordinator, Practical Nursing Program, Northern Tier Career Center

Maryann McLaughlin, Clinical Nurse Educator, Geisinger Health System

Michelle Davis, RN, MSN, Director of Nursing, Lincoln Technical Institute - Allentown

Pam Hughes, MSN, CRNP, FNP-C

Jenny Piper, Board Administrator, Board of Private Licensed Schools, Pennsylvania Department of Education

P. Daniel Altland, Esquire, Pennsylvania Association of Nurse Anesthetists

Shauna Boscaccy, Esquire, Pennsylvania Association of Nurse Anesthetists

Lisa Storck, DNP, RN, Program Director, St. Luke's School of Nursing

Frances Bietsch, RN, President, Pennsylvania Association of Practical Nursing Administrators, Nursing Instructor, York County School of Technology

State Board of Nursing June 5, 2023

3

1 2

4 5 6 ALSO PRESENT: (Cont.) 7 Joann Meagon, RN, BSN, Executive Director, 8 Pennsylvania Nurse Peer Assistance Program 9 Peggy Pearl, Executive Director, Pennsylvania 10 Coalition of Nurse Practitioners 11 Marian Shenberger, Professional Development 12 Assistant, Pennsylvania State Nurses Association 13 Wendy Ruderman, Staff Writer, Philadelphia Inquirer 14 Wesley J. Rish, Esquire, Rish Law Office, LLC Tyler Burke, Milliron Goodman 15 16 Lauren Martini, Director of Professional Services and 17 Communications, Milliron Goodman 18 Nicole Campbell, Division Chief, Division of Law 19 Enforcement Education and Trade Schools, 20 Pennsylvania Department of Education 21 Tom Dougherty, Government Relations Specialist, PSNA 22 Jennifer Smeltz, Republican Executive Director, Senate Consumer Protection & Professional Licensure 23 24 Mary Marshall, Director, Workforce & Professional 25 Development, The Hospital and Healthsystem 26 Ginelle Hunsberger 27 Deborah Little, EdD, RN, CNE, Corporate Assistant Dean of Nursing, Lincoln Educational Services 28 29 Corey Dennis, MSNc, BA, BSN, RN, CNEn, Director of 30 Nursing, Pennsylvania Institute of Technology 31 Misha Patel, Esquire, Pennsylvania Medical Society 32 Susan C. Lewis, MSN, RN, Practical Nursing Program 33 Director, Fayette County Career & Technical 34 Institute 35 Jean Marie Truman, DNP, Director of 36 Assessment/Program Review, Associate Professor of Nursing, University of Pittsburgh at Bradford 37 Debbie Rahn, EdD, MSN, RN, Director, Reading Hospital 38 39 School of Health Sciences 40 Kathleen Barnes, PT, PhD, Interim Provost, Neumann 41 University 42 Paula Spack, Punxsutawney Area Hospital

45 46 47

43

44

Mari Green

Inc.

48

49 50 51 Derek Richmond, Sargent's Court Reporting Service,

6 * * * 1 2 State Board of Nursing 3 June 5, 2023 * * * 4 5 The regularly scheduled meeting of the State 6 Board of Nursing was held on Monday, June 5, 2023. 7 Linda L. Kmetz, PhD, RN, Chair, called the meeting to order at 9:03 a.m. 9 10 Introduction of Board Members 11 [Linda L. Kmetz, PhD, RN, Chair, requested an introduction of Board members.] 12 13 * * * 14 Introduction of Board Staff 15 [Wendy Miller, MSN, RN, Executive Secretary, provided an introduction of Board staff. 16 17 18 Introduction of Board Counsel 19 [Carole Clarke Smith, Esquire, Senior Board Counsel, identified Board Counsel.] 20 * * * 21 22 Introduction of Board Prosecution 23 [William A. Newport, Esquire, Senior Board Prosecutor 24 and Prosecution Co-Liaison, identified members of 25 Prosecution.]

```
1
2
   Introduction of Gallery Attendees
3
   [Linda L. Kmetz, PhD, RN, Chair, requested an
4
   introduction of gallery attendees.]
                               * * *
5
   Introduction of Virtual Attendees
6
7
   [Cynthia K. Miller, Board Administrator, provided an
   introduction of virtual attendees.]
9
10
   Adoption of the Agenda
11
   CHAIR KMETZ:
12
                  The agenda is before you. Any
13
                  additions or corrections?
14
                       If not, may I have a motion to
15
                  approve?
   MS. MALADY:
16
                  So moved.
17
18
   DR. HUNSBERGER:
19
                  Second.
20
   CHAIR KMETZ:
21
                  All those in favor? Opposed?
22
                  Abstentions?
23
   [The motion carried unanimously.]
24
                               * * *
   [Judith Pachter Schulder, Esquire, Board Counsel,
25
```

1 informed everyone that the meeting was being recorded 2 and voluntary participation constituted consent to be 3 recorded.] * * * 4 5 Adoption of Minutes 6 CHAIR KMETZ: The minutes of the March and April meetings are before you. Are there any 9 additions or corrections? Hearing 10 none, may we have a motion to approve 11 the March meeting minutes? MS. HERTZLER: 12 13 So moved. 14 DR. HUNSBERGER: 15 Second. CHAIR KMETZ: 16 All those in favor? Opposed? 17 18 Abstentions? 19 [The motion carried. Kristin Malady abstained from 20 voting on the motion.] * * * 21 22 CHAIR KMETZ: 23 April minutes. Any additions or 24 corrections? If not, motion to 25 approve?

```
9
1
   DR. HUNSBERGER:
2
                  So moved.
3
   MS. MALADY:
4
                  Second.
5
   CHAIR KMETZ:
6
                  All those in favor? Opposed?
7
                  Abstentions?
   [The motion carried unanimously.]
9
10
   Report of Prosecutorial Division
11
   [Chair Kmetz noted VRP Consent Agreement items 2
12
   through 8.]
13
                               * * *
14
   [Chair Kmetz noted Ms. Bellfy's items 9 through 11.]
15
16
   [Chair Kmetz noted Ms. Boyd's items 12 and 13.]
17
18
   [Chair Kmetz noted Ms. Evancho's items 14 and 15.]
                               * * *
19
20
   [Chair Kmetz noted Mr. Hales' item 16.]
21
        Ms. Tucker presented item 16 on behalf of Mr.
22
   Hales.]
23
24
   [Chair Kmetz noted Mr. Schertz's item 17.]
25
                               * * *
```

```
1
   [Chair Kmetz noted Mr. Sniscak's item 18.]
2
3
   [Chair Kmetz noted Ms. Szymanski's items 19 through
4
   21.
5
        Mr. Sniscak presented items 19 through 21 on
   behalf of Ms. Szymanski.
6
7
        Wesley J. Rish, Esquire, Rish Law Office, LLC,
8
   Counsel for the Respondent, was present and
   participated in the discussion regarding item 21.]
10
11
   [Chair Kmetz noted Ms. Tucker's items 22 and 23.]
12
13
   Regulation Update
14
   [Judith Pachter Schulder, Esquire, Board Counsel,
15
   informed everyone of a Regulatory Committee Meeting
16
               There is no update about the Volunteer
   at 11 a.m.
   License regulation. She noted 16A-5141 regarding
17
18
   Nursing Education Programs and 16A-5143 would be
19
   discussed during the Regulatory Committee Meeting to
20
   hopefully have the final form of that regulation.
        Ms. Pachter Schulder referred to 16A-5145
21
22
   regarding CRNA Licensure, noting they are in the
23
   process of reviewing licensing requirements from
24
   other states for the Regulatory Analysis Form.
25
        Ms. Pachter Schulder addressed 16A-5146 regarding
```

1 Opioid Prescription and Education and Organ Donation

2 | Education, noting the regulation was approved by the

3 Office of Policy, and she is working on a written

4 response to comments from the Office of General

5 | Counsel. She mentioned that none of the comments

6 were substantive.

7

10

11

12

13

14

15

16

Ms. Pachter Schulder referred to 16A-5147 regarding the Nurse Licensure Compact, noting they are still where they have been awaiting the Federal Bureau of Investigation (FBI) approval of draft language for the statute, which hopefully will satisfy background check concerns.

She explained that the legislature would have to make changes based on the language that the FBI would approve, and the Board may have to write a temporary draft regulation.]

17

18 | Pennsylvania Legislative Update - Legislation

19 | Affecting Nurses/Nursing

20 | [Judith Pachter Schulder, Esquire, Board Counsel,

21 addressed House Bill 982, which amends the Medical

22 | Marijuana Act and would require 4 hours of mandatory

23 education regarding medical marijuana prescribing.

24 | She noted only being able to find three and would

25 include 1 hour of ethics, 1 hour on patient safety,

and 1 hour on latest advances.

Ms. Pachter Schulder stated the Department of Health (DOH) would be the developer of those regulations and courses. She noted certified registered nurse practitioners (CRNPs) already have 30 hours of continuing education and includes 16 hours in pharmacology, 2 hours in opioids, and 2 hours in child abuse. She noted organ donation only has to be done once and then the additional 4 hours for medical marijuana.

Dr. Bucher asked why CRNPs would be included in the required education because they are not able to prescribe. Ms. Pachter Schulder stated there may be a concomitant bill that she has not yet seen. She mentioned the bill also includes podiatrists and optometrists who also cannot prescribe medical marijuana.

Ms. Pachter Schulder addressed Senate Bill 641, which would require healthcare professionals to provide information for persons who are hospitalized for self-harm. She mentioned the Do-Not-Sell Firearm Registry and noted some bills include not being able to have a firearm if an individual was hospitalized or has mental health issues.

Ms. Pachter Schulder recognized May was National

1 Nurses Month.] 2 3 Appointment - Neumann University Proposal for CRNP 4 Family Across the Lifespan MSN and Post-Master's 5 Certificate [Theresa Pietsch, PhD, RN, CRRN, CNE, Dean, School of 6 7 Nursing and Health Sciences; Judith Neubauer, MSN, 8 AGPCNP-BC, Program Director Graduate Nursing; Rebecca 9 Mueller, PhD, FNP-BC, Proposed Coordinator 10 Family/Individual Across the Lifespan Option; and 11 Kathleen Barnes, PT, PhD, Interim Provost, presented 12 to the Board on behalf of Neumann University.] 13 Ms. Neubauer thanked the Board for reviewing the 14 45-credit fully online program. She noted Neumann 15 University is also asking for their Adult-Gerontology 16 Primary Care and Acute Care to move fully online to 17 follow the same format found in the Family/Individual 18 Across the Lifespan program. Ms. Pachter Schulder 19 asked whether that is only for the courses in 20 advanced practice or all of it. 21 Ms. Neubauer explained that MSN courses, advanced 22 practice specialty courses, and the online portion of 23 the didactics for the clinical specialty courses 24 would move online in a synchronous format.

Ms. Malady appreciated Neumann University

25

addressing the change in the format by having faculty deal with quality matters because having online engagement can be very difficult. Ms. Neubauer noted already enrolling faculty in that process and the University transitioning their learning management system to Canvas to prepare for the online environment.

Chair Kmetz asked whether Neumann University is having any difficulty finding faculty or preceptors.

Ms. Neubauer explained that leadership has taken a look at graduate faculty workload and reimagined what that looks like different from undergraduate faculty workload. She mentioned having several adjunct faculty members and looking to hire a clinical coordinator and two additional full-time faculty members.

Ms. Neubauer stated the University is beginning a program where preceptors would be given a course waiver for every semester they precept and could essentially return to school for free. She mentioned also forming strong relationships with Trinity Health and other partnerships.

Dr. Bucher asked whether the University would be finding placements for students in pediatrics and women's health or do they have to find their own. Ms.

1 Neubauer commented that one of the areas of strength

- 2 through interviews with students and preceptors is
- 3 that the University goes out of their way to find
- 4 placement and has strong relationships in
- 5 Pennsylvania, Delaware, and New Jersey.
- 6 Ms. Pachter Schulder informed Neumann University
- 7 | that the Board would deliberate on their proposal
- 8 during Executive Session and welcomed them to stay
- 9 until after Executive Session or attend virtually.]
- 10
- 11 Report of Board Chairperson No Report
- 12
- 13 | Report of Acting Commissioner No Report
- 14
- 15 Report of Committees Probable Cause Screening
- 16 Committee
- 17 [Sue E. Hertzler, LPN, noted the Probable Cause
- 18 | Screening Committee moved on 10 Petitions for
- 19 Appropriate Relief, 31 Petitions for Mental and
- 20 Physical Evaluations, and 1 Immediate Temporary
- 21 Suspension.]
- 22 ***
- 23 Report of Committees Application Review Committee
- 24 | [Kristin Malady, BSN, RN, noted the Application
- 25 Review Committee reviewed applications several times

16 1 via email concerning mostly temporary practice 2 permits.] 3 4 Report of Committees - Advanced Practice (Education, 5 Regulation, & Application) - No Report 6 7 Report of Committees - RN/PN Practice, Education, & 8 Regulation - No Report 9 10 Report of Committees - Dietitian-Nutritionist 11 Committee - No Report * * * 12 13 IT & Communication Issues Committee - No Report * * * 14 15 Report of Board Members Who Attended a Meeting on 16 Behalf of the Board [Ariel E. O'Malley, Esquire, Board Counsel, addressed 17 18 her attendance at the NCSBN 2023 Discipline Case 19 Management Conference in Greenville, SC, noting 20 concern with nurse burnout from COVID and rethinking 21 discipline by giving new considerations to discipline 22 and more thought toward remediating through 23 discipline rather than simply disciplining and 24 removing nurses from practice. 25 Ms. Pachter Schulder asked whether there was any

discussion about that in terms of the NLC because someone cannot be in an alternative disciplinary program and have a multistate license.

Ms. O'Malley commented that it did not come up in that sense, but they are currently conducting a study evaluating all of the alternative discipline programs throughout the country and trying to compare and contrast how everyone handles those programs to see if there are maybe some pros in some states that are doing things differently that might be helpful in other states.

Ms. Pachter Schulder addressed PERC, an alternative disciplinary approach, concerning a systematic error, perhaps in a facility, that may have not been really attributable to the nurse, which would go to the Advisors. She noted Ms. Wendy Miller sees those and reviews the kind of error that was made and helps Prosecution in determining what would be the best way to handle that.

Ms. Pachter Schulder stated when the NLC is implemented, if a licensee is in one of those programs, the licensee would not be able to have a multistate license until the PERC agreement is completed.

Ms. O'Malley stated the only discussion related

to the NLC at the conference was the sharing of investigation materials.

Ms. Pachter Schulder mentioned that Prosecution would start working on changing their PHMP and PERC agreements so licensees who are being offered these agreements will know that the Board will have to report their participation informing their decisions whether to enroll. She mentioned that someone in the Voluntary Recovery Program (VRP) or Disciplinary Monitoring Unit (DMU) cannot hold a multistate license. She explained that multistate licensees in those programs would go back to a single state license and then could switch back to a multistate license when they finish the program.]

* * *

16 Report of Executive Secretary

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

25

17 [Wendy Miller, MSN, RN, Executive Secretary,

18 commented that the Advisors do work with Prosecution

19 when Prosecution feels that a case is suitable for

20 PERC because the incident meets certain criteria and

21 education would remediate the issue because of lack

22 of understanding or deficit in education. She noted

23 the individual would be required to have specific

24 education that would remediate the issue.

Ms. Miller noted attending the spring

- 1 Pennsylvania Higher Education Nursing Schools
- 2 Association (PHENSA) meeting. She mentioned also
- 3 Zooming in to the spring meeting of the Associate
- 4 Degree in Nursing (ADN) Program Administrators group
- 5 on April 26 and met with the Practical Nursing
- 6 Administrators group, the Pennsylvania Association of
- 7 Practical Nursing Administrators (PAPNA).
- 8 Ms. Miller informed Board members that interviews
- 9 | for the Nursing Education Advisor positions have
- 10 ended, and the Bureau would be extending conditional
- 11 offers to the candidates.
- 12 Ms. Miller announced that program directors for
- 13 CRNPs and prelicensure should be receiving emails to
- 14 give them access to the testing environment for the
- 15 transition from Education Program Portal and
- 16 | Information Communication Channel (eppiccNURSE) into
- 17 | the Pennsylvania Licensing System (PALS).
- 18 Ms. Miller reported that the testing environment
- 19 | would remain open until June 9 and asked program
- 20 directors to go through the steps and provide
- 21 | feedback by June 9. She noted the plan is to have
- 22 eppic functions live in PALS on June 30.]
- 23 **
- 24 Old Business
- 25 [Wendy Miller, MSN, RN, Executive Secretary, stated

```
the Board previously voted to send representatives to
1
2
   the NCSBN Annual Meeting in August, but it is back on
3
   the agenda because they need two of the Board members
4
   attending the meeting to be voting delegates and one
5
   alternate. She mentioned that there would be no
6
   virtual voting options.
7
        Ms. Pachter Schulder noted the Board decided Dr.
8
   Kmetz and Dr. Bucher to be the delegates and Dr.
9
   Hunsberger the alternate and would discuss what the
10
   Board would be voting on at the July meeting.]
                              * * *
11
12
   New Business - 2023 NLC Annual Meeting
13
   MS. MALADY:
14
                  I'd like to make a motion to send Wendy
15
                  Miller to the 2023 NLC Annual Meeting.
16
17
   DR. HUNSBERGER:
18
                  Second.
19
   CHAIR KMETZ:
20
                  All those in favor? Opposed?
21
                  Abstentions?
22
   [The motion carried unanimously.]
23
24
   New Business - MATE Act DEA-Registrants Training
25
     Requirement Letter
```

2.1

```
[Judith Pachter Schulder, Esquire, Board Counsel,
1
2
   stated the DEA has a one-time CE requirement of 8
3
   hours of training on opioids for those who prescribe
4
   and noted the Board already has the requirement for
5
   CRNPs for 16 hours.]
                              * * *
6
7
   [The Board recessed from 9:45 a.m. until 9:52 a.m.]
8
9
   [Linda L. Kmetz, PhD, RN, Chair, exited the meeting
10
   at 9:52 a.m. for recusal purposes.]
11
12
            VICE CHAIR COUGHLIN ASSUMED THE CHAIR
13
                              * * *
14
   Appointment - UPMC Jameson Reconsideration of a
15
     Curriculum Change Request
   [Mary Beth Langdon, DNP, RN, MEDSURG-BC, CNE, Interim
16
17
   Program Director; Karen Morahan, PhD, RN, CNE,
18
   Director, UPMC Jameson School of Nursing at UPMC
19
   Hamot; and Brandy Hershberger, DNP, MSN, RN, CEN,
20
   Chief Nursing Officer/Vice President of Academic
21
   Affairs, presented on behalf of UPMC Jameson School
22
   of Nursing.
23
        Ms. Pachter Schulder noted UPMC Jameson is
24
   appearing before the Board seeking reconsideration of
25
   a curriculum change request that the Board tabled
```

- 1 because the program was on provisional status.
- 2 Ordinarily, the request to continue a program
- 3 throughout the summer would not come before the
- 4 | Board; however, UPMC Jameson, along with other
- 5 programs who are on provisional status, had come to
- 6 | the Board asking to make different modifications to
- 7 their programs.

week summer break.

14

15

16

17

18

19

20

21

22

23

24

25

- Ms. Pachter Schulder noted the Board did not
 permit any changes to be made while approval status
 is on provisional status, so UPMC's proposal to allow
 them to continue to teach through the summer without
 a break was tabled. She stated UPMC is before the
 Board to explain their proposal to eliminate the 16-
 - Dr. Langdon presented their proposal for a curriculum change. She reported challenges over the past two years that have impacted the UPMC Jameson School of Nursing first-time Next Generation National Council Licensure Examination (NCLEX®)-RN pass rate.
 - Dr. Langdon reported current program outcomes for first-time performance on the licensure examination have declined for 2020 at 88.89 percent, 2021 at 63.79 percent, and 2022 at 47.14 percent. She reported program completion rates are stable at 54 percent, 64 percent, and 63 percent over those same

identical years.

Dr. Langdon stated the current program is offered in 4 semesters over a 2-year period with a 16-week break over the summer. She noted that after following the analysis by the UPMC Jameson School of Nursing, faculty of the curriculum implementation process, academic support, and student performance outcomes, several factors may have contributed to the lower licensure examination pass rates.

Dr. Langdon stated faculty concluded the most significant areas needing immediate attention related to restrictions and limitations of the didactic and clinical experiences due to the COVID-19 pandemic, NCLEX® preparation, and student critical thinking and clinical judgment skills. She stated significant action plans have been executed to recover from the pandemic restrictions and strengthen the NCLEX®-RN instructions and have been included in their performance improvement plan in detail.

Dr. Langdon reported the most significant challenge regarding the ability of the students to continuously improve their clinical judgment was the progression through the program with a 16-week break over the summer months. She mentioned that it creates a gap in learning for many students, where

they struggle to recover from the educational interruption, whether in the didactic setting or the clinical setting.

Dr. Langdon believed the summer break had negatively impacted the graduates' ability to pass NCLEX® the first time. She addressed feedback from current students and recent graduates during their senior exit interviews, where having a 16-week break in the summer disrupted their ability to recall and apply previous learning, placing them at a distinct disadvantage when returning to school in the fall semester.

Dr. Langdon stated their request is to permit UPMC Jameson School of Nursing to eliminate the 16-week break in the summer and offer the program in a 4-semester 16-month format, allowing for continuous operation of the curriculum and provided a proposed curriculum plan.

Dr. Coughlin asked whether it was the faculty or student's idea to go straight through without any interruptions. Dr. Langdon explained that it was both the faculty and students' idea.

Ms. Hertzler requested more information regarding the live start date. Dr. Langdon explained that UPMC Jameson would maintain the start dates that they have

every fall and would align with the other five campuses of the school that do not have a break in the summer.

Dr. Langdon mentioned that it would assist students with their ability to maybe transfer to another location if necessary and it would be a December graduation instead of a spring graduation for the UPMC Jameson School of Nursing students. She also mentioned that there was no need for a change in the amount of their faculty.

Dr. Hunsberger asked whether they would be strengthening their tests as well. Dr. Langdon stated additional NCLEX® preparation support initiated in the fall of 2021 and is now strong consistently across the campuses and at UPMC Jameson School of Nursing, along with support outside of the schools and governing organizations supporting that.

She reported having a lot of faculty development, additional student resources, and adjusting the test blueprint. She also addressed student breaks.

Ms. Pachter Schulder informed UPMC Jameson that the Board would deliberate during Executive Session and welcomed them to stay for the decision or attend virtually.]

25 **

```
[Linda L. Kmetz, PhD, RN, Chair, re-entered the
1
2
   meeting at 10:05 a.m.]
3
 4
                CHAIR KMETZ RESUMED THE CHAIR
                              * * *
5
6
   [Colby P. Hunsberger, DNP, RN, CNEcl, exited the
7
   meeting at 10:05 a.m. for recusal purposes.]
8
9
   Appointment - Indiana Regional Medical Center (IRMC)
10
     Proposal for an RN Diploma Program
11
   [Sharon Powell-Laney, RN, MSN, EdD, Director, The
  Rapha School; Micah McMillen, Acting Director, The
12
  Rapha School; Sean Laney, IT Administrator, Financial
13
14
  Aid Assistant & Compliance Officer, The Rapha School;
15
  Wendy Haislip, MSN, RN, Vice President and Chief
  Nursing Officer, Indiana Regional Medical Center; and
  Deana Szentmiklosi, MSN, RN, NPD-BC, Director of
17
  Professional Practice, Indiana Regional Medical
18
19
  Center, presented on behalf of IRMC.
20
        Ms. Pachter Schulder asked IRMC to explain the
21
   inner workings of the program.
22
        Ms. Haislip addressed the partnership between
23
   IRMC and The Rapha School, noting that Dr. Powell-
24
   Laney's organization would be responsible for the
25
   curriculum and bringing students into the
```

organization. She stated students would be able to conduct their clinical and have professional experience as they are going through the Licensed Practical Nurse-Registered Nurse (LPN-RN) Bridge program, noting the hospital would then confer the diploma at the end of the program.

Ms. Pachter Schulder acknowledged that The Rapha School agreed to provide the education but asked whether the liability responsibility would be with IRMC. Dr. Powell-Laney explained the contract between IRMC and The Rapha School, where The Rapha School would provide education and compliance with all rules and regulations. She noted that student responsibility for admissions and all aspects of their education would fall on Rapha, including making sure all faculty has the proper credentials.

Dr. Powell-Laney believed it to be a three-year contract, so the responsibility of IRMC is basically providing the students with their educational place except for the classroom experience, which would be Rapha.

Ms. Pachter Schulder asked whether any thought was given to faculty being employed by IRMC because that is the nursing education provider. Dr. Powell-Laney stated it was The Rapha School's understanding

1 that they would be responsible for recruiting
2 students and faculty.

Chair Kmetz asked whether The Rapha School or IRMC is the controlling institution. Dr. Powell-Laney noted IRMC is the controlling institution. Chair Kmetz questioned how IRMC could be the controlling institution when The Rapha School controls the faculty.

Chair Kmetz mentioned that there is a regulation regarding high school requisites for LPN programs that is distinctly different than RN programs. She asked how the high school equivalency, which must be completed prior to graduation, would meet the standard of § 21.101. Dr. Powell-Laney explained that the standard is going to be met for anyone who graduated after a certain time because they all have the science, math, and English requirements in order for them to graduate. She mentioned that it is a very small portion of the population that would not be able to have those in place just from going to high school.

Dr. Powell-Laney stated there is a very good online company who can provide that education prior to graduation. She commented that she wanted to give them an opportunity to be able to complete that and

not have it hinder them.

Ms. Pachter Schulder asked how the students would prepare themselves for the pharmacology courses if they do not have sufficient math or science preparation as a baseline. Dr. Powell-Laney explained that the individuals would already be LPNs and have gone through an LPN program and believe they can pass NCLEX®-PN. She noted that part of the transition course would go over advanced drug dosage calculation.

Chair Kmetz commented that there is a great unknown about any other LPN who was educated in any other manner rather than educated through The Rapha School. Dr. Powell-Laney noted the individuals would be taking the Health Education Systems Incorporated (HESI) Mobility Exam to be reasonably assured they would be able to navigate the curriculum.

Chair Kmetz asked whether The Rapha School or Indiana Regional Medical Center would be dispersing the financial aid to the students.

Dr. Powell-Laney stated the Rapha would be dispersing the financial aid because Indiana Regional Medical Center does not have Title IV, noting that Title IV would be on The Rapha School Program Participatory Agreement due July 31.

Ms. Pachter Schulder asked whether the PPP would be only for the PN students, where they have their program, versus RN students who are IRMC students. Dr. Powell-Laney explained that they would be placed within the PPP of Rapha, noting their gatekeeper is Middle States and they would receive national nursing accreditation for the RN piece of the program through the Accreditation Commission for Education in Nursing (ACEN).

Ms. Pachter Schulder asked how they are letting the first set of students know about the issues with accreditation and whether it is in the handbook. She also asked where assessment is taught and to explain the transition because there are only four courses. Dr. Powell-Laney stated she would inform students during the interview and could add that to the handbook or brochure for recruitment.

Dr. Powell-Laney stated assessment is one of the fundamental skills all through the LPN and RN curriculum. She explained that the transition course is where faculty have identified things that are different in skills from the LPN-RN and includes physical assessment, teaching and learning, drug dosage calculations, and specific skills LPNs learn but are not responsible for on the clinical units.

Chair Kmetz commented that ACEN would be the gatekeeper for the LPN-RN transition when accredited but asked whether ACEN is okay with a new program establishment. Dr. Powell-Laney explained that Middle States is the gatekeeper for the LPN course and could be utilized as their gatekeeper if the course is added.

Ms. Pachter Schulder commented that they could be added as The Rapha School, which is an approved LPN program, but asked whether they could add them as IRMC as an RN. Dr. Powell-Laney noted contacting Middle States and explaining the contract with them, where IRMC would reimburse some of those individuals for their education. She mentioned that tuition would go to Rapha first and then they would provide a portion of the tuition to IRMC for each student.

Ms. Pachter Schulder asked why the students are paying an LPN program if it is IRMC's RN program at The Rapha School.

Dr. Powell-Laney explained that students are paying The Rapha School and not the LPN program. She noted The Rapha School is a private licensed school to provide LPN education and currently have a Nurse Aide Training and Competency Evaluation Program (NATCEP) Program and LPN program.

Chair Kmetz asked what percentage would be online teaching compared to a classroom. Dr. Powell-Laney explained that the true online portion is the transitions course, where 100 hours are online and 20 in the classroom reviewing the different skills. She noted the rest of the curriculum is a 30-hour week with 6 hours of clinical judgment case study the students perform online and monitored by the faculty.

Chair Kmetz noted that there are 360 total clinical hours minus the 20 in the transitions course doing skills, making that 340 for a total of 28 days of clinical to become an RN. Dr. Powell-Laney noted the LPN courses all have to have 60 percent of their 1500 hours as clinical, noting Rapha's LPN is 830 hours of clinical in one year.

Chair Kmetz mentioned that anyone who is not a Rapha graduate and may have been out of practice for a while or not worked in an acute care setting would be getting 30 days of clinical before they are eligible to sit for NCLEX®. She asked how far the school is from the hospital. Dr. Powell-Laney noted being about 12 minutes from the hospital. She addressed faculty with master's degrees, noting faculty have master's degrees in the RN program but not in the LPN program.

Ms. Malady requested information regarding advanced placement procedures. Dr. Powell-Laney explained that advanced placement would not be for the LPN-RN program because The Rapha School has faculty that would be both LPN and RN with one faculty manual and may be in the current student handbook for an LPN. She believed the faculty wanted to leave advanced placement in there in case someone came from another school and finished a partial RN program. She stated they look at what someone has completed, their transcripts, and then allow them to come into the program.

Ms. Pachter Schulder asked what four courses could someone skip as far as transition. Dr. Powell-Laney noted that it would depend on whether they have taken a transitions course in another program or Fundamentals of Nursing in an RN program and they have learned the same things they teach in that course. She mentioned that many people outside of Pennsylvania want to take their LPN course but would have to agree to take certain course before admitted into the program.

Ms. Haislip referred to the question earlier about the liability, noting the contract does speak to the school's responsibility for providing

professional liability insurance for each student and instructor involved in the program.

Chair Kmetz commented that the contract, when The Rapha School affiliates with other schools of nursing, seems to be the same contract with The Rapha School and would have clinical placement at their hospital.

Ms. Haislip noted that there are similarities but is a little different than an affiliation agreement with Indiana University of Pennsylvania (IUP). She stated they have an affiliation agreement with The Rapha School for LPNs to come into the organization and conduct their clinical rotation but is set up differently as a result of the new program.

Ms. Pachter Schulder commented that the Board wants to be assured that the group seeking approval from the Board is IRMC and not The Rapha School. Ms. Haislip stated IRMC in partnership with The Rapha School is seeking approval.

Ms. Pachter Schulder explained that under Section 21.51(a) of the Board's regulations, an RN program either has to be a degree granting institution or under the authority of a hospital approved by the Joint Commission and potentially the only way to get there would then be The Rapha School to have the RN

program. Dr. Powell-Laney commented that she wanted to do that, but because of the private license school stipulation, it was not an option at this time and is why she believed a partnership with IRMC would meet the needs of the community and get the needed RNs.

Ms. Pachter Schulder explained that the issue continues to be whether the partnership is sufficient to overcome who the provider is of the program. Dr. Powell-Laney believed they are the educational vendor for IRMC, and they would have their education department do that if they had the resources but have decided The Rapha School could be the vendor.

Ms. Pachter Schulder stated the Board's regulations do not contemplate the partnership idea. Dr. Powell-Laney commented that she knew it was going to be a concern because of the way it is set up, noting they did ask Board Counsel of IRMC and the Board to look at the contract to make sure it was going to do what they needed.

Ms. Pachter Schulder stated the contractual arrangement was part of their proposal, but the Board did not make a determination that it is sufficient. She noted the Board allowed IRMC/Rapha to make the presentation, so the Board could more fully understand the arrangement and decide whether they

could approve IRMC as the provider.

Ms. Pachter Schulder noted that it appears that IRMC is really just a clinical piece plus the conferring of the diploma but then everything else goes to The Rapha School. She explained that the difference is the students are not applying to IRMC and Rapha has a contract with IRMC to provide those things for IRMC but sounds like IRMC is providing the clinical space and Rapha is providing everything else under The Rapha School umbrella, and that is a concern of the Board.

Dr. Powell-Laney stated they are willing to do whatever needs to be done because The Rapha School and IRMC recognize the severe nursing shortage and the need to get high-quality nurses.

Ms. Pachter Schulder recommended that Dr. Powell-Laney and Ms. Haslip have conversations with counsel for IRMC to explain to their discussion with the Board.

Ms. Haislip noted having multiple meetings and conversations with their attorney with the review of the documents.

Dr. Powell-Laney believed they wanted to partner with Pennsylvania Mountains Health Care Network

(PMCN) at that time, which is a combination hospital

between IRMC and Punxsutawney Area Hospital, and was told they had to choose one hospital.

Ms. Pachter Schulder noted there cannot be many providers. She noted the issue may not be that this is not capable of being done but whether it has the proper legal structure to get it done and whether a partnership agreement is sufficient, where the students are not applying to IRMC. She asked how IRMC could confer a degree if they are not applying to them as their students or paying tuition.

Dr. Powell-Laney explained that they agreed that these are their students because it is the IRMC LPN-RN program. She noted The Rapha School would take care of their applications and IRMC agreed to look at the applications as well but rely on The Rapha School to ensure they are good students and received 70 percent on the Health Education Systems Incorporated (HESI) Exam and all other things stipulated.

Dr. Powell-Laney mentioned being thankful IRMC entrusted them because it would help their school, community, IRMC, and other hospitals and nursing homes in the area. She mentioned that there was no guarantee that the students are going to work at IRMC but hope they will and believed it was a win-win situation.

Ms. Pachter Schulder stated the Board's concern is with the legal entity so far.

- Dr. Powell-Laney asked whether it would be any different if The Rapha School was under the umbrella of IRMC.
- Ms. Pachter Schulder noted that it may make a difference but has to do with what the regulations allow as far as RN programs and because being a private licensed school only takes The Rapha School so far and need to move into a different kind of entity.
- Dr. Powell-Laney commented that a different kind of entity is expensive and is why they were not pursuing that, and if IRMC decided they did not need them anymore after three years, they would come back to the Board and ask for approval for The Rapha School to do it on their own. She noted it is IRMC's program, and after three years if they do not want Rapha to provide the education, they could choose someone else to do that.
- Dr. Powell-Laney addressed what would happen to the students if the contract were not renewed. She stated they cannot shut anything down in the middle of the year and students would graduate and is in the contract as well.

Dr. Powell-Laney noted that the State Board of Private Licensed Schools now has their application for an LPN program that they have had for seven years because they are going to fall under the auspices of private licensed schools even though they have the State Board of Nursing approval.

Chair Kmetz asked who would be handling the Family Educational Rights and Privacy Act (FERPA). Dr. Powell-Laney noted The Rapha School is going to have the students sign FERPA releases and would enable Indiana Regional Medical Center to access student records.

Dr. Powell-Laney stated Rapha would hold FERPA and also house all of the other important records for the students for IRMC.

Chair Kmetz asked how many nursing credits and non-nursing credits would be awarded at the conclusion of the program and how it comports with other RN programs in the state.

Dr. Powell-Laney believed they would receive 17 nursing credits for their LPN and 18 for the RN. She noted it is about the same for the diploma nursing programs. She mentioned looking at a few other colleges that were strictly LPN-RN that are all hybrid and are about the same as theirs but noted

that online nursing is not the best way to go.

Chair Kmetz asked how they determined what the gap was between a standard LPN curriculum and an RN curriculum and what national standard was utilized.

Dr. Powell-Laney explained that more than just one national standard was utilized, where they looked at different programs and their success rates. She noted examining the curriculum and requirements for the LPNs to ensure the LPNs are able to navigate the waters of the RN program.

Dr. Powell-Laney commented that the real impetus behind the development of the program was the National Council of State Boards of Nursing-Clinical Judgment Model, where they may not need more individual courses or concept courses but need to make sure they are teaching clinical judgment and case studies.

Dr. Powell-Laney mentioned that Rapha may have less clinical but have a 12-hour clinical day and then a clinical judgment focus case. She stated all the research in nursing education came from the National Council of State Boards of Nursing and is where she came up with the model for the curriculum.

Chair Kmetz asked how The Rapha School calculated credits. Dr. Powell-Laney explained that 30 hours is

equal to 1 credit for theory and clinical.

Chair Kmetz asked how the 340 hours of clinical practice comports with other RN programs like an associate degree or diploma program in terms of total clinical hours of the program. Dr. Powell-Laney said she was not sure how many hours they would have but provided a summary based on her own experience, noting she wanted to give students more of a factual, reality-based look at nursing, which is a 12-hour day.

Chair Kmetz asked how the total number of nursing versus non-nursing credits comports with other diploma programs or associate degree programs to become an RN. Dr. Powell-Laney said she was not sure what diploma nursing programs do but believed 15 non-nursing credits are required for an associate degree. She noted the diploma programs require basic non-nursing credits in high school and the LPN program have their sciences.

Chair Kmetz asked whether The Rapha School anticipates most of the LPNs to come from the employee pool at Indiana Regional Medical Center. Dr. Powell-Laney believed the employees would come from Indiana Regional Medical Center or Punxsutawney Area Hospital. She also reported having three LPN schools

- within the area that would provide more LPNs. She
 mentioned that The Rapha School is trying to find an
 avenue to provide more of an opportunity to work with
 their employer to be able to stay in the hospital.
 - Dr. Powell-Laney stated Ms. Haislip has not developed the contract with the student yet for those that she would employ but would be between the student and IRMC when that does happen.
 - Ms. Pachter Schulder informed Dr. Powell-Laney and Ms. Haislip that the Board would discuss their proposal during Executive Session and welcomed them to stay for the vote or attend virtually but also noted they would be informed of the results.]
- 14
- [Colby P. Hunsberger, DNP, RN, CNEcl, re-entered the meeting at 10:59 a.m.]
- 17
- 18 | Appointment Lincoln University Extension of
- 19 Provisional Status/ Notification regarding
- 20 Discontinuance

5

6

7

10

11

12

13

- 21 [Vilma Davis, PNP, BC, PhD, Director and
- 22 Chair/Assistant Professor, Department of Nursing; and
- 23 Patricia A. Joseph, PhD, Provost, Dean of Faculty,
- 24 Professor, on behalf of Lincoln University.
- 25 Ms. Pachter Schulder informed Lincoln University

that the Board received its letter advising that the 1 2 program was closing. Dr. Joseph stated a decision 3 was made to discontinue the program after 4 deliberation and speaking with members of the staff 5 regarding graduates from a program that does not have 6 nursing accreditation. She noted the letter included 7 how the campus community was notified. She commented that they still care deeply about health care disparities and plan to continue to serve those needs 10 by entering into pathways of partnership with medical 11 schools, graduate programs, and programs in higher education. 12

Dr. Joseph stated many of their students could begin partnerships as early as their freshman year and mentioned having longstanding relationships with all of the major healthcare institutions for students to go on in the medical field.

13

14

15

16

17

18

19

20

21

22

23

24

25

Dr. Joseph commented that their focus more recently, under the direction of Dr. Brenda Allen, has been to return to their roots of liberal arts and continue to make a difference through the partnership. She mentioned that the last meeting with the Board helped with the final determination after the discussion concerning regulations and options related to their provisional status.

Chair Kmetz commented that it is a sad day, and the Board was hoping Lincoln University would have a better outcome.

Ms. Pachter Schulder thanked Lincoln University for placing students in other programs so the upcoming seniors would continue to graduate.

Dr. Joseph commented that they are feeling hopeful about the 15 students they have prepared to take the test.

Ms. Pachter Schulder asked whether Lincoln would be looking to again seek programmatic accreditation if the students do well. Dr. Joseph explained that it is hard to say after making that kind of determination because the other thing that goes along with it is how to notify the public. She mentioned that Lincoln University is making sure information related to the nursing program is accurately portrayed on their website and is not likely to be able to do a quick turnaround when it comes to that.

Dr. Joseph thanked the Board for the partnership and trust in Lincoln University over the years.]

* * *

23 Appointment - Prism Career Institute - Extension of 24 Provisional Status

25 [Khadijah Williams, MSN-ED, RN, Director of Nursing;

Latisha Hayes, DNP, APRN-BC, CNE, Corporate Director of Nursing; and Sharon Gordon, RN, Assistant Director of Nursing, presented virtually on behalf of Prism Career Institute.

Ms. Pachter Schulder noted Prism's overall pass rate of 79.53 percent with 71.43 percent in the first quarter, 67.16 in the second quarter, and 100 percent in the third quarter.

Chair Kmetz asked how many graduates are expected to test in the final quarter. She also asked how many students would be graduating from the program between this date and the end of the testing period.

Dr. Hayes estimated about 20-25 people would potentially test in the final quarter, and 35 students would be finishing out this quarter.

Chair Kmetz noted that 35 of them would be testing between now and September 3 and asked how many were left from previous graduating classes. Dr. Hayes reported one from the first quarter and one from the second quarter.

Ms. Pachter Schulder asked what was being done to ensure the likelihood of those 37 passing. Dr. Hayes noted the opportunity for student services twice a week for remediation and ensuring the nine students left in the third quarter are keeping up with their

1 content, along with case scenarios and studies to 2 help promote their understanding.

Ms. Pachter Schulder informed Prism Career

Institute that the Board would review the extension request during Executive Session.]

*

7 Regulatory Committee Meeting

8 [Judith Pachter Schulder, Esquire, Board Counsel,

9 addressed an issue presented at the Pennsylvania

10 Association of Practical Nursing Administrators

11 (PAPNA) meeting concerning PN programs meeting the

12 | Board's proposed nursing education program regulation

13 with regard to accreditation. She referred the Board

14 to the proposed definition for a practical nursing

15 education program in §21.901. She noted PN programs

16 would have to be either currently authorized by the

17 | Pennsylvania Department of Education (PDE) to award a

18 diploma or certificate or be organized within a

19 healthcare facility approved by the Board and

20 authorized under the Higher Education Eligibility

21 Act.

3

4

5

6

Ms. Pachter Schulder referred to § 21.916 under accreditation, which, as written, requires that in

24 addition to the controlling institution maintaining

25 | Board-recognized accreditation, the program obtaining

and maintaining programmatic accreditation. The problem is that programs authorized by PDE are not in controlling institutions that are accredited.

Ms. Pachter Schulder recommended removing the clause "in addition to the controlling institution maintaining Board-recognized accreditation" in § 21.916(a) and instead amending it to read, "existing nursing education program shall obtain and maintain nursing program accreditation from a Board-recognized nursing accreditation agency" to be clear about the requirements on existing programs. Subsection(b) would address new programs. Under both subsections, a program will have five years to obtain the programmatic accreditation.

Ms. Pachter Schulder referred to proposed § 21.921(b) concerning Establishment and recommended making amendments under Paragraphs (14) and (15) as well. She recommended 14 read, "documentation evidencing the controlling institution's authority to operate or accreditation." She noted having both alternatives and removing "as applicable" would relate back to the definition of controlling institution.

Ms. Pachter Schulder recommended changing
(b) (15), which used to say, "Documentation providing

the timeline to obtain programmatic accreditation and a copy of the programmatic accreditation candidacy application" to "Documentation from the accreditor evidencing submission of a candidacy application for programmatic accreditation and a timeline for achievement of accreditation."

Frances Bietsch, RN, President, PAPNA, thanked the Board for addressing the issue but requested more time to discuss the changes with the rest of the group.

Ms. Pachter Schulder referred to another area that was raised concerning prerequisite math and science education in § 21.917(a)(1). She explained that due to stakeholder comments, the Board changed the requirement that the students complete this education before being admitted to a program to complete it before they actually begin the program. The change was intended to allow students time to take the coursework in the intervening months before the program actually started and enable programs to partnership with other institutions in order to allow the students to receive some financial assistance for these courses.

Ms. Pachter Schulder further explained that students have to take it before they start the

program but do not have to take it in order to be admitted into the program.

Ms. Bietsch asked whether there are any specifics on what programs the students would be taking to accomplish those math and science courses with the lab or would whatever they put in their handbook meet the requirements. Chair Kmetz explained that it would be a high school equivalent, so a community college or university course in algebra would exceed the high school program.

Ms. Bietsch noted that high school transcripts do not delineate whether or not there was a lab present and asked how they would obtain proof. Chair Kmetz explained that the high school would have to provide validation that they had a lab in that science course.]

17 MS. PACHTER SCHULDER:

18 Is there a motion to adopt 16A-5141 as

19 amended?

20 MS. MALADY:

3

4

5

6

7

10

11

12

13

14

15

16

21 So moved.

22 DR. HUNSBERGER:

23 Second.

24 CHAIR KMETZ:

25 All those in favor? Opposed?

Abstentions?

2 [The motion carried unanimously.]

* *

[Judith Pachter Schulder, Esquire, Board Counsel,
referred to Act 41 Licensure by Endorsement and
addressed comments received from the Independent
Regulatory Review Commission (IRRC). The first noted
that the Board should have promulgated the final
regulation by February 28, 2021.

Ms. Pachter Schulder stated that although the regulation has not been in place, the statute has permitted the Board to issue "Act 41" licenses as applicable. She reported that the Board has not had many applicants for a provisional license under Act 41 because the temporary practice permit (TPP) process does not require someone to have experience or show competency.

Ms. Pachter Schulder addressed IRRC's second comment that the Act does not require the applicant to send the current law and regulations from other jurisdictions and should be the responsibility of the Board. She referred to the preamble, where there have been very few Act 41 applications, and the applicants have the burden to prove that they meet the qualifications because it would put a financial

burden on the Board to obtain the different laws from all of the jurisdictions and if they are not in English, the applicant has the burden of having them translated.

Ms. Pachter Schulder stated IRRC wanted to know what standard the Board would use to determine equivalency and recommended that the Board publish an annual determination of jurisdictions. She explained that laws and regulation in jurisdictions change, and it would not make sense for the Board to publish something that would become outdated as soon as it was published. She noted the Board looks at every application received in order to decide if the person met requirements and publishing a list would exclude more people.

Ms. Pachter Schulder noted IRRC also asked under what circumstance the Board would issue a provisional license for less than one year. She explained that it depends on how much time the person needs to remediate the deficiency.

Ms. Pachter Schulder noted another IRRC comment regarding the rationale for limiting the number of provisional licenses a person could obtain. She explained that the Board limited it to two provisional licenses because the legislation intended

```
52
   provisional licenses to be short-term licenses.
1
2
        Ms. Pachter Schulder stated IRRC requested a cost
3
   estimate associated with translation and the criminal
4
   history record check (CHRC). She noted the Federal
5
   Bureau of Investigation background check cost is $18,
   Pennsylvania CHRC is $22, and translation is about $2
6
7
   a page.
        Ms. Pachter Schulder referred to the Annex,
8
9
   noting it has not changed substantively since the
10
   Board last met. She noted an additional section
11
   concerning the termination of a provisional license.]
12
13
   MS. PACHTER SCHULDER:
14
                  Is someone willing to make a motion to
15
                  adopt 16A-5143 in final form?
   MS. MALADY:
16
17
                  So moved.
18
   DR. HUNSBERGER:
                  Second.
19
   CHAIR KMETZ:
20
21
                  All those in favor? Opposed?
22
                  Abstentions?
23
   [The motion carried unanimously.]
                              * * *
24
```

Miscellaneous

[Judith Pachter Schulder, Esquire, Board Counsel, 1 2 addressed blanket delegation orders, where the Board 3 is not required to issue individual delegation orders 4 for each case but can delegate by groups. 5 relayed that one of the statutory provisions that has 6 not been included in the blanket delegation is 7 immediate and clear danger under section 14(a)(7) of 8 the Professional Nursing Law (RN Law) and section 9 16(a)(10) of the Practical Nurse Law (PN Law). 10 provisions are separate and apart from the immediate 11 temporary suspension (ITS) section in Section 15.1 of 12 the RN Law and 17.1 of the PN Law delegating those to 13 a hearing examiner and could still take a case back. 14 She suggested adding section 14(a)(7) of the RN Law 15 and section 16(a)(10) of the PN Law to the blanket 16 delegation order because it is not there currently. 17 She noted the draft blanket delegation order includes 18 subsection 7 and 10 to read, "if there are cases that 19 have already been filed that include 14(a)(7) of the 20 RN Law and section 16(a)(10) of the PN Law, the Board 21 does not have to issue separate delegation orders."] MS. PACHTER SCHULDER: 22 23 We need a motion to adopt the amended 24 Blanket Delegation Order.

25 MS. MALADY:

1 So moved.

2 MS. HERTZLER:

3 Second.

4 CHAIR KMETZ:

5 All those in favor? Opposed?

6 Abstentions?

7 [The motion carried unanimously.]

**

9 Public Session

8

10 | [Justin Keller, BSN, RN, asked when the next meeting

11 minutes after January would be available online. Ms.

12 Pachter Schulder explained that both March and April

13 minutes were adopted by the Board today and would

14 take a couple of weeks before being posted on the

15 | Board's webpage.]

16

17 | [Pursuant to Section 708(a)(5) of the Sunshine Act,

18 at 11:30 a.m., the Board entered into Executive

19 Session with Judith Pachter Schulder, Esquire, Board

20 Counsel; Carole Clarke Smith, Esquire, Senior Board

21 Counsel; Ariel E. O'Malley, Esquire, Board Counsel;

22 Todd P. Kriner, Esquire, Board Counsel; and Megan E.

23 Castor, Esquire, Board Counsel, for the purpose of

24 | conducting quasi-judicial deliberations on the

25 matters on the agenda under the Report of Board

```
55
   Counsel, Report of Prosecutorial Division, and
1
   Appointments. The Board returned to Open Session at
2
3
   12:32 p.m.]
                              * * *
 4
5
   MOTIONS
6
   MS. PACHTER SCHULDER:
7
                  During Executive Session, the Board
                  engaged in quasi-judicial deliberations
8
9
                  on the matters listed under the Report
10
                  of Board Counsel, Report of the
11
                  Prosecutorial Division, and
12
                  Appointments.
13
                       Board members who recuse themselves
14
                  will be identified with each motion.
15
                       Is there a motion to adopt the VRP
16
                  Consent Agreements items 2 through 8?
17
18
   MS. HERTZLER:
19
                  So moved.
20
   DR. HUNSBERGER:
21
                  Second.
22
   CHAIR KMETZ:
23
                  All those in favor? Opposed?
24
                  Abstentions?
25
   [The motion carried unanimously.]
```

* * *

2 MS. PACHTER SCHULDER:

Is there a motion to adopt the Consent

Agreements, for which members Hertzler

and Kerns are recused, at Case No. 21-

6 51-014322 and Case No. 22-51-000369?

7 MS. MALADY:

1

8 So moved.

9 DR. BUCHER:

10 Second.

11 CHAIR KMETZ:

12 All those in favor? Opposed?

13 Abstentions?

14 [The motion carried. Members Hertzler and Kerns

15 recused themselves from deliberations and voting on

16 the motion. The Respondent's name at Case No. 21-51-

17 | 014322 is Christina Marie Cunningham, LDN, and Case

18 No. 22-51-000369, Colleen Shannon O'Donnell, RN.]

19 ***

20 MS. PACHTER SCHULDER:

Is there a motion to adopt the Consent

Agreement at Case No. 22-51-008851, for

which members Hertzler and Hunsberger

are recused?

25 MS. MALADY:

22

23

24

57 1 So moved. 2 DR. BUCHER: 3 Second. 4 CHAIR KMETZ: 5 All those in favor? Opposed? 6 Abstentions? 7 [The motion carried. Members Hertzler and Hunsberger recused themselves from deliberations and voting on the motion. The Respondent's name at Case No. 22-51-10 008851 is Heather E. Pollock, LPN.] * * * 11 MS. PACHTER SCHULDER: 12 13 Is there a motion to adopt the 14 following Consent Agreements, for which 15 members Hertzler, Kerns, and Hunsberger 16 are recused, at Case No. 22-51-004948, 17 Case No. 22-51-002763, Case No. 22-51-18 012716, Case No. 22-51-012898, Case No. 19 22-51-014856, Case No. 20-51-012933, 20 and Case No. 21-51-017703? 21 MS. MALADY: 22 So moved. 23 DR. BUCHER: 24 Second. 25 CHAIR KMETZ:

58 All those in favor? Opposed? 1 2 Abstentions? 3 [The motion carried. Members Hertzler, Kerns, and 4 Hunsberger recused themselves from deliberations and 5 voting on the motion. The Respondent's name at Case No. 22-51-004948 is Victoria Sara Frino-Sammon, RN; 6 7 Case No. 22-51-002763, Sherley Leon Beaufils, RN; Case No. 22-51-012716, Ashley Nichole Smith, RN; Case No. 22-51-012898, Kiley N. Brink, LPN; Case No. 22-10 51-014856, Doneene Baggish, RN; Case No. 20-51-11 012933, Samantha Denylle McCloud, LPN; and Case No. 21-51-017703, Mary Beth Kissler, RN.] 12 13 * * * 14 MS. PACHTER SCHULDER: 15 Is there a motion to adopt the Consent 16 Agreement at Case No. 22-51-015237, for which members Hertzler and Hunsberger 17 18 are recused? 19 MS. MALADY: 20 So moved. 21 DR. BUCHER: 22 Second. 23 CHAIR KMETZ: 24 All those in favor? Opposed? 25 Abstentions?

```
59
1
   [The motion carried. Members Hertzler and Hunsberger
2
   recused themselves from deliberations and voting on
3
   the motion. The Respondent's name at Case No. 22-51-
4
   015237 is Holly A. Giblin, RN.]
                               * * *
5
   MS. PACHTER SCHULDER:
6
7
                  Is there a motion to reject the
8
                  following Consent Agreements on the
9
                  grounds that they are too lenient at
10
                  Case No. 22-51-006251, Case No. 22-51-
                  016211, and Case No. 21-51-000365?
11
   MS. MALADY:
12
13
                  So moved.
14
   DR. HUNSBERGER:
15
                  Second.
   CHAIR KMETZ:
16
                  All those in favor? Opposed?
17
18
                  Abstentions?
19
    [The motion carried unanimously.]
                               * * *
20
21
   MS. PACHTER SCHULDER:
22
                  Is there a motion to adopt the
23
                  following Consent Agreement, for which
24
                  there are no recusals, at Case No. 23-
25
                  51-004599?
```

```
60
   MS. MALADY:
1
2
                  So moved.
3
   DR. HUNSBERGER:
4
                  Second.
5
   CHAIR KMETZ:
                  All those in favor? Opposed?
6
7
                  Abstentions?
   [The motion carried unanimously. The Respondent's
   name at Case No. 23-51-004599 is Lorrie J. Jelic,
10
   RN.]
11
                               * * *
   MS. PACHTER SCHULDER:
12
13
                  Is there a motion to grant the request
14
                  for early termination from the VRP at
15
                  Case No. 19-51-016841?
   MS. MALADY:
16
                  So moved.
17
18
   DR. HUNSBERGER:
19
                  Second.
20
   CHAIR KMETZ:
21
                  All those in favor? Opposed?
22
                  Abstentions?
23
   [The motion carried unanimously.]
24
                               * * *
25
   MS. PACHTER SCHULDER:
```

61 Is there a motion to grant the request 1 2 of Kevin G. Malicky, RN, CRNP, Case No. 3 19-51-015961, to remove him from the 4 PHMP program, for which member Kerns is 5 recused? 6 MS. MALADY: 7 So moved. 8 MS. HERTZLER: 9 Second. 10 CHAIR KMETZ: 11 All those in favor? Opposed? 12 Abstentions? 13 [The motion carried. Member Kerns recused herself 14 from deliberations and voting on the motion.] 15 16 MS. PACHTER SCHULDER: 17 Is there a motion to enter default, 18 deem facts admitted, and authorize 19 Counsel to prepare Adjudications and 20 Orders in the matters of Suzanne 21 Bialek, RN, Case No. 22-51-001063; 22 Latora Butler-Martin, LPN, Case No. 18-23 51-012252; Jean E. Kane, RN, Case No. 24 19-51-003604; Debra Torrone Kilkenny, 25 RN, Case No. 22-51-016052; Christie

```
62
1
                  Locke, LPN, Case No. 21-51-010394;
2
                  Krista Renee Oltmann, RN, Case No. 22-
3
                  51-015795; and Hope Lynn Williams, RN,
                  Case No. 22-51-017420?
 4
   MS. MALADY:
5
                  So moved.
6
7
   DR. HUNSBERGER:
8
                  Second.
9
   CHAIR KMETZ:
10
                  All those in favor? Opposed?
                  Abstentions?
11
12
   [The motion carried unanimously.]
13
                               * * *
14
   MS. PACHTER SCHULDER:
15
                  Is there a motion to authorize Counsel
16
                  to prepare Adjudications and Orders in
                  the matters of Lindsay Marie Anderson,
17
18
                  LPN, Case No. 20-51-007925; Patricia M.
19
                  Farkas, LPN, Case No. 19-51-007049; and
20
                  Joseph J. Leszczynski, RN, Case No. 17-
                  51-012489?
21
22
   MS. MALADY:
23
                  So moved.
24
   DR. HUNSBERGER:
25
                  Second.
```

63 CHAIR KMETZ: 1 2 All those in favor? Opposed? 3 Abstentions? 4 [The motion carried unanimously.] * * * 5 6 MS. PACHTER SCHULDER: 7 Is there a motion to authorize Counsel 8 to prepare an Adjudication and Order in 9 the matter of Amanda Eger, LPN, Case 10 No. 22-51-012828, for which members 11 Hertzler, Kerns, and Hunsberger are 12 recused? 13 MS. MALADY: 14 So moved. 15 DR. BUCHER: 16 Second. 17 CHAIR KMETZ: 18 All those in favor? Opposed? Abstentions? 19 20 [The motion carried. Members Hertzler, Kerns, and 21 Hunsberger recused themselves from deliberations and 22 voting on the motion.] 23 24 MS. PACHTER SCHULDER: 25 Is there a motion to adopt and

```
64
                  substitute a Board order in the matter
1
2
                  of Cheryl Rankin, RN, Case No. 22-51-
3
                  015046?
4
   MS. MALADY:
5
                  So moved.
6
   MS. HERTZLER:
7
                  Second.
8
   CHAIR KMETZ:
                  All those in favor? Opposed?
9
10
                  Abstentions?
11
   [The motion carried unanimously.]
12
13
   MS. PACHTER SCHULDER:
14
                  Is there a motion to adopt the Draft
15
                  Adjudications and Orders, for which
16
                  there were no recusals, of Franka Lynn
                  Brendle, LPN, Case No. 21-51-000822;
17
18
                  Mark Damian Declouet, RN, Case No. 22-
19
                  51-002232; Jennifer Lynn Edwards, LPN,
20
                  Case No. 20-51-008458; Amber L.
21
                  Johnson, RN, Case No. 22-51-003038;
22
                  Sarah Nathanson, RN, Case No. 19-51-
23
                  009221; Evan William Penn, RN, Case No.
24
                  21-51-009554; Tiffany Ann Speakman, RN,
25
                  Case No. 21-51-018872; and Karen
```

65 Thatcher-Smith, LPN, Case No. 19-51-1 2 007559? 3 MS. MALADY: 4 So moved. 5 DR. HUNSBERGER: Second. 6 7 CHAIR KMETZ: 8 All those in favor? Opposed? 9 Abstentions? 10 [The motion carried unanimously.] * * * 11 MS. PACHTER SCHULDER: 12 13 Is there a motion to adopt the Draft Adjudication and Order for Andrea C. 14 15 Freeman, LPN, Case No. 21-51-015757, 16 for which members Hertzler and Kerns 17 are recused? 18 MS. MALADY: So moved. 19 20 DR. BUCHER: 21 Second. 22 CHAIR KMETZ: 23 All those in favor? Opposed? 24 Abstentions? 25 [The motion carried. Members Hertzler and Kerns

```
66
   recused themselves from deliberations and voting on
1
2
   the motion.
3
4
   MS. PACHTER SCHULDER:
5
                  Is there a motion to adopt the Draft
 6
                  Adjudications and Orders in the matters
7
                  of Suzanne Marie Friedl, LPN, Case No.
                  21-51-018388; Carly R. Hawkins, RN,
9
                  Case No. 22-51-012715; Denise Lee
10
                  Renwick, LPN, Case No. 22-51-010901;
11
                  Marc A. Shoaf, LPN, Case No. 21-51-
12
                  012284; and Hope Lynn Williams, RN,
13
                  Case No. 21-51-018294, for which
14
                  members Hertzler, Kerns, and Hunsberger
15
                  are recused?
   MS. MALADY:
16
                  So moved.
17
18
   DR. BUCHER:
                  Second.
19
20
   CHAIR KMETZ:
21
                  All those in favor? Opposed?
22
                  Abstentions?
23
   [The motion carried. Members Hertzler, Kerns, and
24
   Hunsberger recused themselves from deliberations and
25
   voting on the motion.]
```

67 1 2 MS. PACHTER SCHULDER: 3 Is there a motion in the matter of Neumann University's Proposal for a 4 5 CRNP Across the Lifespan MSN and Post-Master's Certificate and also approval 6 7 for the online curriculum for the current Adult Gero Primary Care Program 9 and Adult Gero Acute Care Program? 10 MS. MALADY: 11 So moved. DR. HUNSBERGER: 12 13 Second. 14 CHAIR KMETZ: 15 All those in favor? Opposed? 16 Abstentions? 17 [The motion carried unanimously.] * * * 18 19 MS. PACHTER SCHULDER: 20 Is there a motion to extend until the 21 end of the examination year the 22 provisional status for Prism Career 23 Institute? 24 MS. MALADY: 25 So moved.

```
68
 1
   DR. HUNSBERGER:
 2
                   Second.
 3
   CHAIR KMETZ:
 4
                  All those in favor? Opposed?
 5
                  Abstentions?
    [The motion carried unanimously.]
 6
 7
                               * * *
 8
   MS. PACHTER SCHULDER:
 9
                   No motion is needed for Lincoln
10
                   University.
                               * * *
11
    [Linda L. Kmetz, PhD, RN, Chair, exited the meeting
12
13
   at 12:44 p.m. for recusal purposes.]
                               * * *
14
15
            VICE CHAIR COUGHLIN ASSUMED THE CHAIR
                               * * *
16
17
   MS. PACHTER SCHULDER:
18
                   Is there a motion to grant UPMC's
19
                   request to permit the curriculum to
20
                   continue through the summer without any
21
                   breaks?
22
   MS. MALADY:
23
                   So moved.
24
   DR. HUNSBERGER:
25
                   Second.
```

```
VICE CHAIR COUGHLIN:
1
2
                  All those in favor? Opposed?
3
                  Abstentions?
4
   [The motion carried. Member Kmetz recused herself
5
   from deliberations and voting on the motion.]
                              * * *
6
7
   [Linda L. Kmetz, PhD, RN, Chair, re-entered the
   meeting at 12:45 p.m.]
9
10
                CHAIR KMETZ RESUMED THE CHAIR
                              * * *
11
   MS. PACHTER SCHULDER:
12
13
                  In the matter of Indiana Regional
14
                  Medical Center's Proposal for an RN
15
                  Diploma Program, for which member
16
                  Hunsberger is recused, is there a
                  motion to deny on the grounds that IRMC
17
18
                  is not the controlling institution, but
19
                  the program may reapply to the Board
20
                  for consideration, but not only do they
21
                  have to fix the controlling
22
                  institution, but they also have to
23
                  amend the curriculum to comply with the
24
                  Board's regulations?
25
   MS. MALADY:
```

```
70
1
                  So moved.
2
   DR. BUCHER:
3
                  Second.
   CHAIR KMETZ:
4
5
                  All those in favor? Opposed?
                  Abstentions?
6
7
   [The motion carried. Member Hunsberger recused
   himself from deliberations and voting on the motion.]
                               * * *
9
10
   Adjournment
11
   CHAIR KMETZ:
12
                  Could we have a motion to adjourn?
13
   DR. HUNSBERGER:
14
                  So moved.
15
   MS. MALADY:
16
                  Second.
   CHAIR KMETZ:
17
18
                  All those in favor? Opposed?
19
                  Abstentions?
20
   [The motion carried unanimously.]
21
                               * * *
22
   [There being no further business, the State Board of
23
   Nursing Meeting adjourned at 12:45 p.m.]
24
                               * * *
25
```

		73
1 2 3 4 5 6		STATE BOARD OF NURSING REFERENCE INDEX (cont.) June 5, 2023
7	TIME	AGENDA
8 9 10 11	11:00	Appointment - Lincoln University - Extension of Provisional Status
12 13	11:07	Appointment - Prism Career Institute - Extension of Provisional Status
14	11:12	Regulatory Committee Meeting
16 17	11:28	Miscellaneous
18	11:30	Public Session
20 21 22	11:30	Executive Session
23	12:32	Return to Open Session
24 25	12:32	Motions
26 27 28	12:45	Adjournment
29 30		
31		
33		
35 36		
37 38		
39 40		
41 42		
43 44		
45 46		
47 48		
49 50		