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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 TELECONFERENCE**

TIME: 9:07 A.M.

July 22, 2020

1 State Board of Nursing
2 July 22, 2020
3 (Continued)

4
5 Education Advisor
6

7
8 DEPARTMENT PERSONNEL:
9

10 Marc Farrell, Deputy Policy Director, Department of State
11 Andrew LaFratte, MPA, Policy Office, Department of State
12 Theodore Stauffer, Executive Assistant, Bureau of
13 Professional and Occupational Affairs
14

15 ALSO PRESENT:
16

17 Tina VanBuren, MSN, RN, CCNS, Director of Nursing
18 Programs, Lehigh Carbon Community College
19 Deborah Little, EdD, RN, CNE, Corporate Assistant Dean
20 of Nursing, Lincoln Technical Institute
21 Michelle Davis, RN, MSN, Director of Nursing, Lincoln
22 Technical Institute - Allentown
23 Nancy Haughton, Director, Chester County Intermediate
24 Unit (CCIU) Practical Nursing Program
25 Mary Marshall, Director, Workforce and Professional
26 Development, The Hospital and Healthsystem
27 Association of Pennsylvania (HAP)
28 Wesley J. Rish, Esquire, Rish Law Office, LLC
29 Andrew Harvan, Pennsylvania Medical Society
30 Charles Hartwell, Esquire, Dethlefs-Pykosh Law
31 Group, LLC
32 Kelly Stephens, MSN, RN, Director of Professional
33 Development, Pennsylvania State Nurses Association
34 Julie Turner, APRN, American Academy of Nurse
35 Practitioners
36 Ramona McCormick, CRNA
37 Valerie Myers, EdD, MSN, RN, Associate Professor,
38 Assistant Dean of Nursing, School of Nursing &
39 Health Sciences, Pennsylvania College of Technology
40 Julie Charnosky, MS, RDN, LDN, FAND, Pennsylvania Academy
41 of Nutrition & Dietetics
42 Joann Megon, Executive Director, Pennsylvania Nurse Peer
43 Assistance Program
44 Patti DeLucia, Dean of Nursing, Lincoln Technical Institute
45 Noah Logan, Government Affairs Specialist, Pennsylvania State
46 Nurses Association
47 Jen Smeltz, Executive Director, Consumer Protection and
48 Professional Licensure Committee
49 Sharvette Law Philmon, MSN, RN, NEA-BC, CNE
50

State Board of Nursing
July 22, 2020
(Continued)

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Sharon Gordon, RN, Assistant Director of Nursing, Prism
Career Institute
Jessica Bellerby, Prism Career Institute
Nicole Sidle
Amanda Kells

1 ***

2 State Board of Nursing

3 July 22, 2020

4 ***

5 The regularly scheduled meeting of the State
6 Board of Nursing was held by teleconference pursuant
7 to the Governor's March 16, 2020 waiver of the
8 "physical presence" requirement in section 2.1(c) of
9 the Professional Nursing Law (63 P.S. § 212.1(c) on
10 Wednesday, July 22, 2020. Ann Michele Coughlin, MBA,
11 MSN, RN, Chair, called the meeting to order at
12 9:07 a.m. Roll call was taken.

13 ***

14 Introductions

15 [Introduction of staff and guests in the audience.]

16 ***

17 [Judith Pachter Schulder, Esquire, Board Counsel,
18 requested members of the public also email Ms. Miller
19 to ensure they are included as present at the meeting.

20 Ms. Pachter Schulder informed the public that the
21 meeting was being recorded and transcribed and those
22 who remain on the line were presumed to give their
23 consent to be recorded.]

24 ***

25 Adoption of the Agenda

1 CHAIR COUGHLIN:

2 Do I have a motion to adopt the agenda
3 for the July 22, 2020 meeting?

4 MS. MALADY:

5 So moved.

6 MS. KIESELHORST:

7 Second.

8 CHAIR COUGHLIN:

9 All those in favor? Opposed?

10 Abstentions?

11 [The motion carried unanimously.]

12 ***

13 Adoption of Minutes

14 [Chair Coughlin noted there were no minutes to adopt
15 at this meeting.]

16 ***

17 Report of Prosecutorial Division

18 [Chair Coughlin noted VRP Consent Agreement Items 2
19 through 14 and Items 80 and 81.]

20 ***

21 [T'rese Evancho, Esquire, Board Prosecution Co-

22 Liaison, presented the Consent Agreements for Case No.
23 18-51-005241 and Case No. 18-51-009782.]

24 ***

25 [T'rese Evancho, Esquire, Board Prosecution Co-

1 Liaison, presented the Consent Agreement for Case No.
2 19-51-005457, for which members Kerns and Luchs were
3 recused.]

4 ***
5 [T'rese Evancho, Esquire, Board Prosecution Co-
6 Liaison, presented the Consent Agreements for Case No.
7 19-51-014501 and Case No. 19-51-015625.]

8 ***
9 [T'rese Evancho, Esquire, Board Prosecution Co-
10 Liaison, presented the Consent Agreements for Case No.
11 20-51-003349 and Case No. 20-51-005035 for which
12 member Luchs was recused.]

13 ***
14 [Bridget K. Guilfoyle, Esquire, Board Prosecutor,
15 presented the Consent Agreement for Case No. 19-51-
16 003567.]

17 ***
18 [William A. Newport, Esquire, Board Prosecution Co-
19 Liaison, presented the Consent Agreement for Case No.
20 19-51-004695 for which members Kerns and Luchs were
21 recused.]

22 ***
23 [William A. Newport, Esquire, Board Prosecution Co-
24 Liaison, presented the Consent Agreement for Case No.
25 19-51-007698 for which member Luchs was recused.]

1 ***

2 [David J. Schertz, Esquire, Board Prosecutor,
3 presented the Consent Agreements for Case No. 19-51-
4 014546 and Case No. 20-51-005940.

5 Charles J. Hartwell, Esquire, Counsel for
6 Respondent, was present for the discussion regarding
7 Case No. 20-51-005940.]

8 ***

9 [David J. Schertz, Esquire, Board Prosecutor,
10 presented the Consent Agreement for Case No. 20-51-
11 007504 for which members Hertzler and Luchs were
12 recused.]

13 ***

14 [Matthew T. Sniscak, Esquire, Board Prosecutor, noted
15 Case No. 17-51-12500 would be tabled until the
16 September meeting.

17 Mr. Sniscak presented the Consent Agreement for
18 Case No. 19-51-010059.]

19 ***

20 [Matthew T. Sniscak, Esquire, Board Prosecutor,
21 presented the Consent Agreement for Case No. 19-51-
22 018610 for which members Kerns and Hertzler were
23 recused.]

24 ***

25 [Codi M. Tucker, Esquire, Board Prosecutor, presented

1 the Consent Agreement for Case No. 19-51-017433.]

2

3 [Ann Michele Coughlin, MBA, MSN, RN, Chair, requested
4 consent agreements have more clarity regarding
5 timelines and dates.]

6

7 Pennsylvania Legislative Update - Legislation
8 Affecting Nurses/Nursing

9 [Judith Pachter Schulder, Esquire, Board Counsel,
10 referred to the PowerPoint presentation prepared by
11 Deputy Chief Counsel Cynthia Montgomery. Ms. Pachter
12 Schulder stated Act 53 of 2020 codifies Act 48 and
13 addresses how Boards consider criminal convictions,
14 which becomes effective on December 27, 2020.

15 Ms. Pachter Schulder commented that one of the
16 main parts of the Act, in addition to adding some
17 definitions, was the language "directly bearing on the
18 fitness or ability to perform one or more
19 responsibilities related to the profession." She
20 noted that this standard will replace "good moral
21 character" or "crimes of moral turpitude" analysis.

22 Ms. Pachter Schulder described the Act's two-step
23 analysis of whether the criminal conviction is
24 directly related to the profession. She noted the
25 Board would be looking at a schedule of offenses. She

1 stated Board Counsel and Prosecution would be
2 providing a list to the Commissioner that would be
3 shared with the Boards.

4 Ms. Pachter Schulder noted that in developing the
5 list of crimes directly related to the profession,
6 they will review Title 18, the Crime Code and other
7 applicable laws. She stated if the crime was on the
8 list, there would be the presumption that the
9 applicant/licensee poses a risk, which the
10 applicant/licensee would have to overcome.

11 Ms. Pachter Schulder addressed the individualized
12 assessment part of the law with 11 factors that the
13 Board has applied when looking at applicants in the
14 past.

15 Ms. Pachter Schulder noted two exceptions to the
16 "directly bearing on the fitness or ability to perform
17 one or more responsibilities related to the
18 profession,"- sexual offenses and crimes of violence.
19 She also discussed a change regarding drug trafficking
20 offenses where a person could not apply for licensure
21 if they had a felony for 10 years from that felony
22 conviction. She stated the law now only applied to
23 drug trafficking.

24 Ms. Pachter Schulder stated the law also requires
25 the Board to make preliminary determinations about

1 whether a license will be granted that are binding on
2 the Board but not binding on the applicant because
3 there could be a lot of remediation the person had
4 done since the time of the conviction.]

5 ***

6 Report of Board Chairperson

7 [Ann Michele Coughlin, MBA, MSN, RN, Chair, announced
8 Executive Secretary Laurette Keiser will be retiring
9 in August, noting the Board would be losing a nurse
10 leader and a good colleague.

11 Chair Coughlin stated Ms. Keiser remained a
12 constant force for 32 years providing leadership,
13 guidance, and support to many nurses in the
14 Commonwealth and wished her the best.

15 Ms. Keiser thanked the Board.]

16 ***

17 Report of Commissioner

18 [K. Kalonji Johnson, Commissioner, Bureau of
19 Professional and Occupational Affairs, thanked the
20 Board for their patience in working through the
21 transition to the virtual format. He also thanked
22 stakeholders for their patience and participation.

23 Commissioner Johnson recognized some of the
24 benefits of operating virtually, including allowing
25 the public and stakeholders to take part in Board

1 meetings without having to endure the challenges of
2 attending meetings in Harrisburg.

3 Commissioner Johnson announced Governor Wolf
4 signed an Executive Order permitting the use of video
5 conferencing for administrative proceedings, allowing
6 persons who have been shut out of that process for the
7 last several weeks to engage without worrying about
8 traveling and safety concerns.]

9

10 Report of Committees - Probable Cause Committee
11 [Sue E. Hertzler, LPN, reported that the Probable
12 Cause Committee moved on 13 Petitions for Appropriate
13 Relief, 24 Petitions for Mental/Physical Examinations,
14 1 Immediate Temporary Suspension on May 29, and 1
15 Immediate Temporary Suspension on June 18.]

16

17 Application Review Committee
18 [Kristin Malady, BSN, RN, Vice Chair, reported the
19 Application Review Committee met several times to
20 review cases.]

21

22 Advanced Practice and RN/PN Practice, Education
23 & Regulation Committee
24 [Linda L. Kmetz, PhD, RN, reported the Advanced
25 Practice Committee met several times and acted on a

1 few applications.]

2 ***

3 Dietitian-Nutritionist Committee - No Report

4 ***

5 IT & Communication Issues - No Report

6 ***

7 Report of Board Members Who Attended a Meeting on
8 Behalf of the Board - No Report

9 ***

10 Report of Executive Secretary

11 [Laurette D. Keiser, MSN, RN, Executive Secretary,
12 reported the Board office continues to telework.

13 Ms. Keiser noted the upcoming 2020 National
14 Council of State Boards of Nursing (NCSBN) Annual
15 Meeting will be held virtually in August. Ms. Keiser
16 stated Chair Coughlin, Vice Chair Malady, and Dr.
17 Kmetz will be receiving an email from NCSBN explaining
18 the rehearsal for the Delegates for the virtual
19 platform on August 10 in advance of the Annual Meeting
20 on August 12 from 1-5 p.m.

21 Ms. Keiser noted that testing centers for
22 administration of the National Council Licensure
23 Examination (NCLEX) are progressing as expected with
24 increased hours and staff. She noted NCLEX also
25 reported available seats for testing and suggested

1 candidates check back frequently.

2 Ms. Keiser addressed the 2020 NCSBN Delegate
3 Assembly, where the Leadership Succession Committee
4 had candidates from Pennsylvania, including Dr. Kmetz
5 who was on the Slate of Candidates.

6 Ms. Keiser stated the two items on the Summary of
7 Recommendations are the advanced practice registered
8 nurse (APRN) compact language changes, as well as the
9 Slate of Candidates, which would be voted on or
10 discussed at the Annual Meeting.

11 Ms. Keiser mentioned working on an online
12 Prescriptive Authority Application and Change Forms,
13 noting staff would be testing that soon.

14 Ms. Keiser thanked the Board for the honor of
15 serving as their Executive Secretary/Division Chief.
16 She noted appreciating all the support received from
17 the Board, staff, and administration and wished
18 everyone the best. She commented that the Board would
19 continue to serve the Commonwealth with passion and
20 commitment.]

21 ***

22 [The Board considered the request to ratify the Chair
23 and Vice Chair's action in permitting Lincoln
24 University to admit students to its nursing program.
25 At the June meeting the Board discussed and agreed to

1 this request but inadvertently omitted the admission
2 piece from the Board's motion. Following the June
3 meeting, the Chair and Vice Chair agreed to permit
4 admission per the Board's discussion.]

5 MS. PACHTER SCHULDER:

6 Would someone ratify the action taken
7 [by the Chair and Vice Chair based upon
8 the Board's June discussion] that allows
9 Lincoln University to admit students in
10 the fall?

11 MS. MALADY:

12 So moved.

13 DR. KMETZ:

14 Second.

15 CHAIR COUGHLIN:

16 All those in favor? Opposed?

17 Abstentions?

18 [The motion carried unanimously.]

19 ***

20 Old Business

21 [Judith Pachter Schulder, Esquire, Board Counsel,
22 noted that the Board was scheduled to have
23 presentations by Falcon Institute of Health and
24 Science, Hazleton Area Career Center, Lincoln
25 University, Pennsylvania Institute of Technology,

1 Prism Career Institute, and Western Area Career &
2 Technology Center regarding the extension of their
3 provisional status. In light of the COVID-19
4 restrictions and NCLEX® results, Chair Coughlin and
5 Vice Chair Malady agreed to reschedule the
6 appointments until December 4, 2020, but require these
7 Programs to submit reports regarding their
8 continuation. She stated the reason to continue the
9 extension was because the Board does not have a lot of
10 numbers from the 3rd quarter and part of the 2nd
11 quarter in order to make a determination.

12 Dr. Petula noted receiving reports from all the
13 programs, and they were all compliant regarding COVID-
14 19. She stated they were able to provide a year-to-
15 date pass rate report with overall improvement except
16 for two programs continuing to deal with lower than
17 acceptable pass rates.

18 Dr. Petula mentioned three director changes out
19 of the six programs on provisional status and two
20 practical nursing program director changes. She
21 stated performance improvement plans had to be
22 modified because of COVID-19. She noted the majority
23 of them have converted to virtual online learning and
24 also to various simulation modalities.

25 Dr. Petula commented that there was a wide range

1 of modalities, noting the Assessment Technology
2 Institute (ATI) as one of the leaders in the market
3 that programs are using.

4 Dr. Petula discussed student support, noting
5 ongoing advisement in tutoring thematically through
6 all of the performance improvement plans submitted.
7 She stated students are being encouraged to test
8 early. She also stated a large number of students
9 would be testing because some graduation dates were
10 pushed off until July. She reported the trend would
11 continue into the fall.

12 Dr. Petula addressed faculty, noting many
13 programs had to stop to really implement further
14 faculty development related to online education as
15 they converted to that format with ongoing curriculum
16 review and updates as needed. She stated many
17 programs are looking at their admission criteria to
18 tighten that up. She mentioned requesting additional
19 information from the two new directors within the
20 programs and receiving that information.

21 Dr. Petula addressed issues programs are having
22 related to access to clinical sites and being totally
23 dependent on the clinical sites providing them
24 permission to return. She reported a good number of
25 students returning to the schools following the

1 Governor's directives as well as the Centers for
2 Disease Control and Prevention (CDC) guidelines and
3 the Pennsylvania Department of Education.

4 Dr. Petula noted Lincoln University, Prism Career
5 Institute, and Western Area Career & Technology Center
6 have new directors. She noted movement with the pass
7 rates for some programs, except Lincoln and Prism, but
8 noted movement toward the benchmark required for the
9 other programs. She applauded the Board in terms of
10 keeping the focus on these programs, which had been
11 beneficial in many regards.]

12 ***

13 MS. PACHTER SCHULDER:

14 Is there a motion to ratify the
15 extension until December 4, 2020, of
16 provisional status for Falcon Institute
17 of Health and Science, Hazleton Area
18 Career Center, Lincoln University,
19 Pennsylvania Institute of Technology,
20 Prism Career Institute, and Western Area
21 Career & Technology Center?

22 DR. KMETZ:

23 So moved.

24 MS. MALADY:

25 Second.

1 CHAIR COUGHLIN:

2 All those in favor? Opposed?

3 Abstentions?

4 [The motion carried unanimously.]

5 ***

6 Regulation Update

7 [Judith Pachter Schulder, Esquire, Board Counsel,
8 referred to 16A-5140 regarding child abuse reporting
9 requirements. She stated it was on the agenda because
10 of additional amendments, including amendments to the
11 Child Protective Services Act (CPSA). She noted prior
12 discussion regarding how the Board's regulation was
13 patterned after the State Board of Dentistry's
14 regulation which was proceeding through the regulatory
15 review process since the CPSA applies equally to all
16 of the Boards.

17 Ms. Pachter Schulder referred to § 21.20 and §
18 21.20(a) for Registered Nurses (RNs), § 21.155 and
19 § 21.156 for Practical Nurses (PNs), § 21.603,
20 § 21.721 for Clinical Nurse Specialists (CNSs) and
21 Licensed Dietitian-Nutritionists (LDNs). She also
22 noted additional provisions for Certified Registered
23 Nurse Practitioners (CRNPs) concerning licensure and
24 certification.

25 Ms. Pachter Schulder stated the CPSA requires 3

1 hours of education to obtain a license. She also
2 noted regulatory sections concerning renewal for RNs,
3 PNs, CNSs, CRNPs, and LDNs requiring at least 2 hours
4 of continuing education for all licensees. She
5 commented that even though PNs are not required to
6 obtain continuing education, they are required to do
7 the child abuse education. She noted reinstatement
8 under those sections also requires 2 hours of child
9 abuse continuing education.

10 Ms. Pachter Schulder referred the Board to
11 Chapter E § 21.501, which adds new definitions that
12 apply to all licensing types. She stated there is a
13 statutory definition for child abuse and sexual abuse
14 or exploitation, and the list of crimes in both are
15 statutorily required. She mentioned reporting
16 requirements and immunity provisions. She also noted
17 changes to current regulations involving the name of
18 the Department of Public Welfare (DPW) which changed
19 to the Department of Health and Human Services.]

20

21 MS. PACHTER SCHULDER:

22 Now, since there are only minor changes,
23 I would ask if someone would be willing
24 to make a motion to adopt 16A-5140 in
25 proposed form.

1 MS. MALADY:

2 So moved.

3 DR. KMETZ:

4 Second.

5 CHAIR COUGHLIN:

6 All those in favor? Opposed?

7 Abstentions?

8 [The motion carried unanimously.]

9

10 Judith Pachter Schulder, Esquire, Board Counsel,
11 referred to 16A-5141 regarding the Nursing Education
12 Program regulations. She thanked Ms. Keiser, Dr.
13 Petula, Ms. House, and Ms. Miller for their assistance
14 with writing the Preamble. She noted revisions on the
15 Annex the Board approved in January.

16 Ms. Pachter Schulder addressed amendments to the
17 Annex regarding minimum pass rates in § 21.915. She
18 stated, based upon the results of each of the
19 particular CRNP specialty exams, there could be a
20 different pass rate and recommended amending the Annex
21 to add the CRNP pass rate.

22 Ms. Pachter Schulder noted proposed §
23 21.934(a)(3)(i) of the Annex would require an earned
24 graduate degree in nursing and a doctorate degree
25 within five years of appointment as a prerequisite for

1 CRNP faculty. Since the doctorate qualification is a
2 recommendation, Ms. Pachter Schulder questioned
3 whether the Board still desired to require faculty to
4 obtain a doctorate upon hiring or provide an
5 additional five years from when the rulemaking goes
6 into effect to obtain a doctorate degree. She stated
7 either way, the Board can receive comments during the
8 public comment period and make whatever amendments in
9 final form or remove it if necessary.

10 Ms. Malady and Dr. Kmetz recommended leaving it
11 in and waiting for comment.

12 Ms. Pachter Schulder referred to § 21.933(e)(1),
13 where a CRNP administrator must have earned a graduate
14 degree in nursing and a doctoral degree within eight
15 years. She recommended that this requirement be
16 lowered to five years based on the proposed language
17 that administrators of RN and PN programs be given
18 five years to complete this requirement and the
19 faculty requirement. The Board agreed with changing
20 the doctoral degree requirement for CRNP faculty to
21 five years from hiring.

22 Ms. Pachter Schulder noted that in its proposal
23 the Board is not requiring a doctorate in nursing but
24 only requiring a graduate degree in nursing. As such,
25 those with a Masters of Science in Nursing (MSN) would

1 not be required to also obtain a doctor of nursing
2 practice degree (DNP).

3 Ms. Pachter Schulder referred to the Preamble
4 grandfathering provision in the proposed regulation
5 that would require all faculty to meet these
6 educational requirements, even existing faculty, five
7 years after the regulations go into effect.

8 Ms. Pachter Schulder referred to §§21.5(e),
9 21.147(d), and 21.253(c) regarding fees. She noted
10 amendments to these provisions to enable collection of
11 fees for the approval of stand-alone infusion therapy
12 courses. The current RN and PN regulations only refer
13 to continued competency courses while the CRNP
14 regulations are limited to advance pharmacology only.

15
16 Ms. Pachter Schulder referred to the list of
17 professional associations in the Preamble and thanked
18 Dr. Kmetz for providing the information about Infusion
19 Therapy Professional Association, Infusion Nurses
20 Society, and the Association for Vascular Access,
21 infusion therapy services associations. She stated
22 that like the reference to the National League for
23 Nursing Simulation Innovation Resource Center and the
24 Society for Simulation in Healthcare (SSiH), in
25 connection with simulation, and Achieving Excellence

1 in Liberal Education (AXYL), in connection with
2 approved English Language Proficiency Examinations,
3 the Annex only states that applicable approved
4 professional associations would be posted on the
5 website.

6 Ms. Pachter Schulder referred to the Annual
7 Report, where administrators must provide information
8 to the Board about faculty and administrators
9 verification of their licensure in proposed §§
10 21.933(e) and 21.934(b)(1). She also discussed policy
11 requirements for verification of licensure for the
12 faculty members.

13 Ms. Pachter Schulder noted the Board's
14 regulations require that the administrator and the
15 faculty have continued competence and must maintain
16 evidence of competence. She stated ongoing
17 verification of licensure, as well as continued
18 competency, was the last addition to the Annex in §
19 21.971(b)(1) and (3) since the Board's last approval.

20 Ms. Pachter Schulder referred to the presentation
21 and White Paper entitled, "Practical Nursing Front & Center:
22 The Role, Trends & Future of Practical Nursing in
23 Pennsylvania" that the Board received from the
24 Pennsylvania Association of Practical Nursing
25 Administrators (PAPNA) on October 27, 2017, regarding

1 growing trends and the importance of practical nurses
2 and advised that specific information from that White
3 Paper has been added to the Preamble concerning trends
4 in practical nursing enrollment.

5 Ms. Pachter Schulder also noted the addition of
6 information regarding the Next Generation National
7 Council Licensure Examination (NCLEX) in the
8 engagement with stakeholders' section while working on
9 developing curriculum and remediation requirements.]

10 ***

11 MS. PACHTER SCHULDER:

12 Is anybody again willing to make a
13 motion to adopt 16A-5141, the Nursing
14 Education Program regulations in
15 proposed form?

16 MS. MALADY:

17 So moved.

18 CHAIR COUGHLIN:

19 Do I have a second?

20 MR. JOHNSON:

21 Second.

22 CHAIR COUGHLIN:

23 All those in favor? Opposed?

24 Abstentions?

25 [The motion carried unanimously.]

1 ***
2 [Judith Pachter Schulder, Esquire, Board Counsel,
3 stated the next step was the preparation of the
4 Regulatory Analysis Form.]

5 ***
6 [Pursuant to Section 708(a)(5) of the Sunshine Act,
7 the Board entered into Executive Session with Judith
8 Pachter Schulder, Esquire; Megan E. Castor, Esquire;
9 Carole Clarke Smith, Esquire; and Ariel O'Malley,
10 Esquire; at 10:28 a.m. for the purpose of conducting
11 quasi-judicial deliberations on matters that are
12 pending before the Board. The Board returned to Open
13 Session at 11:34 a.m.]

14 ***
15 MOTIONS:

16 MS. PACHTER SCHULDER:

17 During Executive Session, the Board
18 engaged in quasi-judicial deliberations
19 on the matters on the agenda under the
20 Report of the Prosecutorial Division and
21 the Report of Board Counsel.

22 Is there a motion to adopt the VRP
23 Consent Agreement Items 2 through 14 and
24 80 and 81?

25 MS. HERTZLER:

1 So moved.

2 MS. MALADY:

3 Second.

4 CHAIR COUGHLIN:

5 All those in favor? Opposed?

6 Abstentions?

7 [The motion carried unanimously.]

8 ***

9 MS. PACHTER SCHULDER:

10 Is there a motion to reject as too
11 lenient, for which members Kerns and
12 Luchs are recused, Item No. 23 at 19-51-
13 004695?

14 DR. KMETZ:

15 So moved.

16 MS. MALADY:

17 Second.

18 CHAIR COUGHLIN:

19 All those in favor? Opposed?

20 Abstentions?

21 [The motion carried. Member Kerns recused herself from
22 deliberations and voting on the motion.]

23 ***

24 MS. PACHTER SCHULDER:

25 Is there a motion to reject as drafted

1 the Consent Agreement for Item No. 31 at
2 Case No. 19-51-017433?

3 DR. KMETZ:

4 So moved.

5 MS. MALADY:

6 Second.

7 CHAIR COUGHLIN:

8 All those in favor? Opposed?

9 Abstentions?

10 [The motion carried unanimously.]

11 ***

12 MS. PACHTER SCHULDER:

13 Is there a motion to adopt the following
14 Consent Agreements for which there are
15 no recusals at Case No. 18-51-005241,
16 Case No. 18-51-009782, Case No. 19-51-
17 015625, Case No. 19-51-003567, Case No.
18 19-51-014546, and Case No. 20-51-005940?

19 DR. KMETZ:

20 So moved.

21 MS. MALADY:

22 Second.

23 CHAIR COUGHLIN:

24 All those in favor? Opposed?

25 Abstentions?

1 [The motion carried unanimously. The Respondent's
2 name in Case No. 18-51-005241 is Nicole S. Soyster,
3 RN; Case No. 18-51-009782, Dollinda Ashley Williams,
4 LPN; Case No. 19-51-015625, Stephanie Marie McConnell,
5 LPN; Case No. 19-51-003567, Lisa D. Walmer, RN; Case
6 No. 19-51-014546, Joyelle Marie Bateman, RN; and Case
7 No. 20-51-005940, Mitchell Chad Riedle, RN.]

8 ***

9 MS. PACHTER SCHULDER:

10 Is there a motion to adopt the following
11 Consent Agreements for which members
12 Kerns and Luchs are recused at Case No.
13 19-51-005457 and Case No. 19-51-010059?

14 DR. KMETZ:

15 So moved.

16 MS. MALADY:

17 Second.

18 CHAIR COUGHLIN:

19 All those in favor? Opposed?

20 Abstentions?

21 [The motion carried. Member Kerns recused herself from
22 deliberations and voting on the motion. The Respondent's
23 name in Case No. 19-51-005457 is Cody Mengel, RN, and
24 the Respondent in Case No. 19-51-010059 is Jeffrey
25 Martin Vogl, RN.]

1

2 MS. PACHTER SCHULDER:

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7

Is there a motion to adopt the following
Consent Agreements for which member
Luchs would have been recused at Case
No. 19-51-014501, Case No. 20-51-003349,
and Case No. 19-51-007698?

8 DR. KMETZ:

9

So moved.

10 MS. MALADY:

11

Second.

12 CHAIR COUGHLIN:

13

All those in favor? Opposed?

14

Abstentions?

15

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[The motion carried. Member Luchs would have been
recused from deliberations and voting on the motion.
The Respondent's name in Case No. 19-51-014501 is Erin
Packard Denman, RN; Case No. 20-51-003349, Christine
Wells Foster, RN; and Case No. 19-51-007698, Tara
Leslie Williams, RN.]

21

22 MS. PACHTER SCHULDER:

23

24

25

Is there a motion to adopt the following
Consent Agreement at Case No. 20-51-
007504, for which members Hertzler and

1 Luchs are recused?

2 DR. KMETZ:

3 So moved.

4 MS. MALADY:

5 Second.

6 CHAIR COUGHLIN:

7 All those in favor? Opposed?

8 Abstentions?

9 [The motion carried. Member Kerns recused herself from
10 deliberations and voting on the motion. The Respondent's
11 name in Case No. 20-51-007504 is Linda Billman Howe,
12 LPN.]

13 ***

14 MS. PACHTER SCHULDER:

15 Item No. 28 has been tabled. That is
16 Case No. 17-51-12500.

17 ***

18 MS. PACHTER SCHULDER:

19 Is there a motion to approve the VRP
20 Reinstatement Request in VRP Case No.
21 17835 when the period has expired?

22 DR. KMETZ:

23 So moved.

24 MS. MALADY:

25 Second.

1 CHAIR COUGHLIN:

2 All those in favor? Opposed?

3 Abstentions?

4 [The motion carried unanimously.]

5 ***

6 MS. PACHTER SCHULDER:

7 In the matter of Amanda Ehrhart, RN's
8 Request for Reinstatement, is there a
9 motion to grant the request and place
10 her in the DMU with monitoring subject
11 to her proof of payment?

12 DR. KMETZ:

13 So moved.

14 MS. MALADY:

15 Second.

16 CHAIR COUGHLIN:

17 All those in favor? Opposed?

18 Abstentions?

19 [The motion carried unanimously.]

20 ***

21 MS. PACHTER SCHULDER:

22 In the matter of Maryellen Nebesky
23 Bodolus, RN, Case No. 17-51-09977, no
24 action is being taken as the Board had
25 already authorized Counsel to prepare an

1 Adjudication and Order.

2 ***

3 MS. PACHTER SCHULDER:

4 In the matter of Boris Levin, is there a
5 motion to grant him a License by
6 Endorsement under Act 41?

7 DR. KMETZ:

8 So moved.

9 MS. KIESELHORST:

10 Second.

11 CHAIR COUGHLIN:

12 All those in favor? Opposed?

13 Abstentions?

14 [The motion carried unanimously.]

15 ***

16 MS. PACHTER SCHULDER:

17 In the matter of Jamie Simon, RN, Case
18 No. 16-51-13372, is there a motion to
19 authorize Counsel to prepare an
20 Adjudication and Order?

21 DR. KMETZ:

22 So moved.

23 MS. MALADY:

24 Second.

25 CHAIR COUGHLIN:

1 All those in favor? Opposed?

2 Abstentions?

3 [The motion carried unanimously.]

4 ***

5 MS. PACHTER SCHULDER:

6 Is there a motion to enter default, deem
7 facts admitted and authorize Counsel to
8 prepare an Adjudication and Order in the
9 matter of Heather Hummel, LPN, Case No.
10 17-51-05563, for which members Kerns and
11 Luchs are recused?

12 DR. KMETZ:

13 So moved.

14 MS. MALADY:

15 Second.

16 CHAIR COUGHLIN:

17 All those in favor? Opposed?

18 Abstentions?

19 [The motion carried. Member Kerns recused herself from
20 deliberations and voting on the motion.]

21 ***

22 MS. PACHTER SCHULDER:

23 Is there a motion to enter default, deem
24 facts admitted and authorize Counsel to
25 prepare Adjudications and Orders in the

1 matters of Kelly Ann Gentz, LPN, Case
2 No. 19-51-008611; Bronwen Evelin Glimm,
3 LPN, Case No. 18-51-03566; Myrna Schneck
4 Green, RN, Case No. 19-51-016925; Sue
5 Anne Holibaugh, LPN, Case No. 18-51-
6 009407; Stacy L. Snowball, LPN, Case No.
7 19-51-008231; Columbus Williams, RN,
8 Case No. 19-51-007167; and Joann
9 Rhinehart, RN, Case No. 19-51-002901?

10 MS. MALADY:

11 So moved.

12 MS. HERTZLER:

13 Second.

14 CHAIR COUGHLIN:

15 All those in favor? Opposed?

16 Abstentions?

17 [The motion carried unanimously]

18 ***

19 MS. PACHTER SCHULDER:

20 We are going to table Item No. 59. That
21 is case No. 17-51-13159, for which
22 members Hertzler and Kerns are recused.

23 ***

24 MS. PACHTER SCHULDER:

25 Is there a motion to authorize Counsel

1 to prepare an Adjudication and Order in
2 the matter of Kimberly Bryan, RN, Case
3 No. 18-51-009199, for which member Kerns
4 is recused?

5 DR. KMETZ:

6 So moved.

7 MS. MALADY:

8 Second.

9 CHAIR COUGHLIN:

10 All those in favor? Opposed?

11 Abstentions?

12 [The motion carried. Member Kerns recused herself
13 from deliberations and voting on the motion.]

14 ***

15 MS. PACHTER SCHULDER:

16 Is there a motion to authorize Counsel
17 to prepare a Memorandum Order adopting
18 the Hearing Examiner's Proposed
19 Adjudication and substituting the
20 Board's Order in the matter of Naomi
21 Derrick, RN, Case No. 19-51-013059, and
22 Sasha Manka, RN, Case No. 19-51-012033?

23 DR. KMETZ:

24 So moved.

25 MS. MALADY:

1 Second.

2 CHAIR COUGHLIN:

3 All those in favor? Opposed?

4 Abstentions?

5 [The motion carried unanimously.]

6 ***

7 MS. PACHTER SCHULDER:

8 Is there a motion to adopt the Hearing
9 Examiners' Proposals in the matters of
10 Barbara Randall, LPN, Case No. 19-51-
11 007381, and Karlin Miller, LPN, Case No.
12 19-51-010629?

13 MS. MALADY:

14 So moved.

15 MS. HERTZLER:

16 Second.

17 CHAIR COUGHLIN:

18 All those in favor? Opposed?

19 Abstentions?

20 [The motion carried unanimously.]

21 ***

22 MS. PACHTER SCHULDER:

23 Is there a motion to adopt the Draft
24 Adjudication and Order for Ruby Gail
25 Beasley, LPN, Case No. 18-51-012485, for

1 [The motion carried. Member Kerns recused herself
2 from deliberations and voting on 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 Alfred Wade Carbonell, RN, Case No.
8 19-51-007350; Kristy Michelle Garber,
9 RN, Case No. 17-51-013075; Virginia P.
10 Goonan, RN, Case No. 18-51-009058; Julie
11 Lynne Hall, LPN, Case No. 19-51-016221;
12 Erik Honsel, LPN, Case No. 18-51-012414;
13 Kelley Counsel Weigand, RN, LPN, Case
14 No. 15-51-08078; Tina Louise Wing, LPN;
15 Case No. 18-51-011726; Teresa Maginn,
16 RN, Case No. 17-51-13767; Carly Nalepa,
17 RN, 19-51-000590; and Dawn Rider, RN,
18 LPN, Case No. 17-51-01591?

19 DR. KMETZ:

20 So moved.

21 MS. HERTZLER:

22 Second.

23 CHAIR COUGHLIN:

24 All those in favor? Opposed?

25 Abstentions?

1 [The motion carried.]

2 ***

3 MS. PACHTER SCHULDER:

4 Is there a motion to adopt the following
5 Consent Agreement for which member Luchs
6 would have been recused at Case No. 20-
7 51-005035?

8 DR. KMETZ:

9 So moved.

10 MS. MALADY:

11 Second.

12 CHAIR COUGHLIN:

13 All those in favor? Opposed?

14 Abstentions?

15 [The motion carried. Ms. Luchs would have been
16 recused from deliberations and voting on the motion.
17 The Respondent's name in Case No. 20-51-005035 is
18 Kiara Cherin Johnson, LPN.]

19 ***

20 MS. PACHTER SCHULDER:

21 Is there a motion to adopt the Consent
22 Agreement in Case No. 19-51-018610 for
23 which members Kerns and Hertzler are
24 recused?

25 DR. KMETZ:

1 So moved.

2 MS. MALADY:

3 Second.

4 CHAIR COUGHLIN:

5 All those in favor? Opposed?

6 Abstentions?

7 [The motion carried. Members Kerns and Hertzler
8 recused themselves from deliberations and voting on
9 the motion. The Respondent's name in Case No. 19-51-
10 018610 is Jeannie M. West, RN.]

11 ***

12 Adjournment

13 CHAIR COUGHLIN:

14 Motion to adjourn.

15 DR. KMETZ:

16 So moved.

17 MS. MALADY:

18 Second.

19 CHAIR COUGHLIN:

20 Everyone stay safe and be well.

21 [The motion carried unanimously.]

22 ***

23 [There being no further business, the State Board of
24 Nursing Meeting adjourned at 11:48 a.m.]

25 ***

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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

July 22, 2020

	TIME	AGENDA
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2		
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4		
5		
6		
7		
8		
9	9:07	Official Call to Order
10		
11	9:07	Roll Call
12		
13	9:08	Introductions
14		
15	9:13	Adoption of Agenda
16		
17	9:14	Report of Prosecutorial Division
18		
19	9:36	Legislative Update
20		
21	9:44	Report of Board Chair
22		
23	9:45	Report of Commissioner
24		
25	9:48	Report of Committees
26		
27	9:52	Report of Executive Secretary
28		
29	9:56	Old Business
30		
31	10:04	Regulation Update
32		
33	10:28	Executive Session
34		
35	11:34	Return to Open Session
36		
37	11:34	Motions
38		
39	11:48	Adjournment
40		
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