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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

TIME: 9:16 A.M.

Held at

PENNSYLVANIA DEPARTMENT OF STATE
2601 North Third Street
One Penn Center, Board Room C
Harrisburg, Pennsylvania 17110

as well as

VIA MICROSOFT TEAMS

September 7, 2022

1 State Board of Nursing
2 September 7, 2022

3
4
5 DEPARTMENT OF STATE AND BOARD STAFF: (Cont.)

6
7 Andrew LaFratte, MPA, Executive Policy Specialist,
8 Department of State
9 Raymond Shapard, On-site End User Support, Contracted
10 Staff

11
12
13 ALSO PRESENT:

14
15 Amy Donis, MSW, LCSW, Case Manager, Pennsylvania Nurse
16 Peer Assistance Program
17 Andrea Wandling, Manager, Member Relations & Human
18 Resources, Pennsylvania Association of Community
19 Health Centers
20 Dan Atland, Pennsylvania Association of Nurse
21 Anesthetists
22 Shauna Boscaccy, Pennsylvania Association of Nurse
23 Anesthetists
24 Deborah Little, EdD, RN, CNE, Corporate Assistant Dean
25 of Nursing, Lincoln Educational Services
26 Janyce L. Collier, MSN, RN, CNE, Nurse
27 Administrator/Financial Aid Administrator, Franklin
28 County Career & Technology Center Practical Nursing
29 Program
30 Judy Williams, CRNP, Lehigh Valley Health Network
31 Kathleen Clark, RN, LECOM Senior Living
32 Kathleen Rundquist, MSN, RN, Nurse Administrator and
33 Financial Aid Administrator, Franklin County
34 Practical Nursing Program
35 Katrina Claghorn, MS, RN, LDN, Pennsylvania Academy of
36 Nutrition & Dietetics
37 Laurie A. Badzek, LLM, JD, MS, RN, FNAP, FAAN,
38 Dean/Professor, Ross and Carol Nese College of
39 Nursing, Penn State University
40 Amy Lynn Forsythe, Executive Assistant to the Dean,
41 Ross and Carol Nese College of Nursing, Penn State
42 University
43 Marcia Landman, MSN-FNP, BSN, RN, Practical Nursing
44 Program Director, United Career Institute
45 Marian Shenberger, Professional Development Assistant,
46 Pennsylvania State Nurses Association
47 Tom Dougherty, Governmental Affairs Specialist,
48 Pennsylvania State Nurses Association
49 Marcia Landman, MSN-FNP, BSN, RN, Practical Nursing
50 Assistant Director, United Career Institute

State Board of Nursing
September 7, 2022

ALSO PRESENT: (Cont.)

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7 Pam Hughes, Practical Nursing Director, United Career
8 Institute
9 Peggy Pearl, Executive Director, Pennsylvania
10 Coalition of Nurse Practitioners
11 Laurie Bladen, PhD, RN, MBA/HCM, CNE, FAACM,
12 Department of Nursing Chair/Associate Professor,
13 PennWest University
14 Deborah Kelly, DNP, RN, Interim Dean of Sciences and
15 Health Professions, Edinboro University/Dean of
16 Health Sciences, PennWest University
17 Kim Olszewski, DNP, CRNP, BC, COHN-S/CM, FAAOHN, FAAN,
18 Interim Associate Dean School of Nursing,
19 Breiner Family Endowed Professorship of Nursing,
20 Commonwealth University
21 Leo-Felix Jurado, PhD, RN, APN, NE-BC, CNE, FAAN,
22 Bloomsburg University
23 Greg Karzhevsky, CEO and Chancellor, Jersey College
24 Steven B. Litvack, Esquire, President, Jersey College
25 Colette Gargiulo, MSN-Ed, RN, Provost, Jersey College
26 Cheryl Osnayo, MSN, RN, Dean of Nursing, Jersey
27 College
28 Park Smith, III, Director of Institutional
29 Effectiveness, Jersey College
30 Judith Williams, PhD, MSN, MS, RN-BC, Dean of Nursing,
31 Jersey College
32 Brenda Simpson, Director Clinical Relations, Jersey
33 College
34 Sarah Holloway, Esquire, Saxton & Stump
35 Lisa Claypool Stevenson, Senior Associate Counsel,
36 UPMC
37 Corey Dennis, BA, BSN, RN, CNE, Director of Nursing,
38 Pennsylvania Institute of Technology
39 Marti Trudeau, RN, MPA, CPHQ, DSW, Healthcare
40 Consultant and Educator, Manor College
41 Nicole Sidle, Republican Executive Director, House
42 Professional Licensure Committee
43 Jennifer Smeltz, Republican Executive Director, Senate
44 Consumer Protection & Professional Licensure
45 Committee
46 Stephanie Kulak, MSN, RN, Corporate Clinical Director,
47 Preferred Home Health Care & Nursing Services
48 Janai Destra, MSN, RN, Clinical Liaison, Preferred Home
49 Health Care & Nursing Services
50 Sam Grasso, Preferred Home Health Care & Nursing Services

State Board of Nursing
September 7, 2022

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ALSO PRESENT: (Cont.)

Tyler Burke, Milliron & Goodman, LLC
Wesley J. Rish, Esquire, Rish Law Office, LLC
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
Jennifer Sheaffer, DNP, CRNP, Chair of Graduate
Nursing, Director of Nurse Practitioner Programs
Monica Lozaga, MSN-Ed, RN, CCRN, CNRN, Director of
Organizational Education, St Mary Medical Center
Cori Myers, PhD, Associate Vice President,
Institutional Effectiveness, Bloomsburg University
Jessica Bower, DNP, RN, Chair of Undergraduate
Nursing, Assistant Professor of Nursing
Justin Keller, BSN, RN
Christina Alexander Rios
Jihyang Park
Diana

1 State Board of Nursing

2 September 7, 2022

3 ***

4 The regularly scheduled meeting of the State
5 Board of Nursing was held on Wednesday, September 7,
6 2022. Linda L. Kmetz, PhD, RN, Chair, called the
7 meeting to order at 9:16 a.m.

8 ***

9 Introduction of Board Members

10 [Linda L. Kmetz, PhD, RN, Chair, requested an
11 introduction of Board members.]

12 ***

13 Introduction of Board Staff and Board Counsel

14 ***

15 Introduction of Gallery and Virtual Attendees

16 ***

17 [Judith Pachter Schulder, Esquire, Board Counsel,
18 reminded everyone that the meeting was being recorded
19 and voluntary participation constitutes consent to be
20 recorded.]

21 ***

22 Adoption of the Agenda

23 CHAIR KMETZ:

24 Before you is today's agenda. Any
25 additions or corrections?

1 May I have a motion for adoption?

2 MS. MALADY:

3 So moved.

4 DR. HUNSBERGER:

5 Second.

6 CHAIR KMETZ:

7 All those in favor? Opposed?

8 Abstentions?

9 [The motion carried unanimously.]

10 ***

11 Adoption of Minutes of July 20, 2022

12 CHAIR KMETZ:

13 We have in front of us the minutes of
14 the July 20, 2022 meeting.

15 Any additions or corrections?

16 Hearing none, may I have a motion?

17 DR. COUGHLIN:

18 So moved.

19 DR. HUNSBERGER:

20 Second.

21 CHAIR KMETZ:

22 All those in favor? Opposed?

23 Abstentions?

24 [The motion carried unanimously.]

25 ***

1 Report of Prosecutorial Division

2 [Chair Kmetz noted VRP Consent Agreements items 2
3 through 14.]

4 ***

5 [Chair Kmetz noted Ms. Bellfy's item 15.]

6 ***

7 [Chair Kmetz noted Ms. Boyd's item 16.]

8 ***

9 [Chair Kmetz noted Ms. Evancho's items 17 and 18.]

10 ***

11 [Chair Kmetz noted Mr. Schertz's items 19 through 21.]

12 ***

13 [Chair Kmetz noted Mr. Sniscak's items 22 through 29.]

14 ***

15 [Chair Kmetz noted Ms. Szymanski's item 30.]

16 ***

17 [Colby P. Hunsberger, DNP, RN, CNEcl, exited the
18 meeting at 9:34 a.m. for recusal purposes.]

19 ***

20 Appointment - PennWest University - Integration of
21 California, Clarion, and Edinboro Universities

22 [Deborah Kelly, DNP, RN, Interim Dean of Sciences and
23 Health Professions, Edinboro University, Dean of
24 Health Sciences, PennWest University, and Laura
25 Bladen, PhD, RN, MBA/HCM, CNE, FAACM, PennWest

1 University Department of Nursing Chair, College of
2 Health Sciences: Nursing, Associate Professor,
3 PennWest University.

4 Dr. Kelley explained that California, Clarion,
5 and Edinboro Universities integrated into one
6 university and became PennWest on July 1, 2022. She
7 noted receiving Middle States accreditation for the
8 integration around March 2022 and recent approval by
9 the Pennsylvania Department of Education.

10 Dr. Kelly noted that PennWest has pre-and post-
11 licensure programs and an associate degree program
12 (ASN) in Somerset and Venango, along with bachelor and
13 prelicensure Bachelor of Science in Nursing (BSN)
14 programs at Edinboro University and Clarion
15 University. She also noted having online RN-BSN and
16 family nurse practitioner programs and a master's in
17 nursing administration and a Doctor of Nursing
18 practice (DNP) program.

19 Ms. Pachter Schulder requested information
20 regarding the curriculum and faculty.

21 Dr. Bladen explained that the ASN program's
22 curriculum stays the same because those two sites are
23 in Venango and Somerset. She stated there is a
24 current curriculum for the BSN for the Edinboro campus
25 and a current curriculum that was previously approved

1 at the Clarion campus.

2 Dr. Bladen further explained that faculty chose,
3 for 2023-2024, to adopt the curriculum in the Board
4 packet that is for Edinboro and then will do a teach-
5 out for the Clarion curriculum. She commented that it
6 would have been too difficult for the students to
7 switch to a different curriculum and is why they
8 currently have two curriculums for this year with the
9 integration being July 1, 2022. She noted they would
10 be switching to the one curriculum for the BSN program
11 next year with a teach-out for the Clarion curriculum.

12 Dr. Kelly stated students would receive their
13 degree from the PennWest University. She addressed
14 orientation, noting Dr. Dale-Elizabeth Pehrsson is the
15 President of all the universities, along with having
16 an Academic Vice President, and Dr. Bladen is the
17 Chair of Nursing Administration and is in the process
18 of putting together additional structure within the
19 Department of Nursing.

20 Dr. Bladen mentioned reviewing literature and
21 modeling the structure after the best practice in the
22 literature and developing an Executive Nursing
23 Committee. She noted having committee structures that
24 would report to the Nursing Professional Development
25 Council, Nursing Practice Council, Curriculum

1 Development Committee, and Accreditation and
2 Assessment Committee. She mentioned that every
3 faculty has a part and a say in the curriculum,
4 process, and development of the Nursing Department.

5 Ms. Malady commented that it could be a challenge
6 to make sure communication is going across all the
7 schools with the different curriculum.

8 Dr. Kelly explained that it has been a challenge,
9 but the PennWest Board is doing a fantastic job making
10 sure there is shared governance.

11 Dr. Bladen noted they have been meeting one-on-
12 one every week for mentorship, and she also works with
13 the Councils for communication and support.

14 Dr. Kelly commented that because they have the
15 associate degree, the faculty voted to go with the
16 Commission on Collegiate Nursing Education (CCNE) for
17 the BSN but are still going to end up with the
18 Accreditation Commission for Education in Nursing
19 (ACEN) for the ADN. She mentioned Dr. Bladen had the
20 accrediting bodies do a presentation and then the
21 faculty voted.

22 Ms. Pachter Schulder asked whether the
23 performance from the various campuses would be
24 tracked.

25 Dr. Bladen explained that PennWest has ASN, BSN,

1 master's level, and doctorate level committees that
2 would be doing a full assessment of each of the
3 curriculums this year to see where improvements could
4 be made.

5 Dr. Kelly thanked Wendy Miller and Dr. Petula for
6 their guidance through the process.

7 Ms. Pachter Schulder informed Board members they
8 are going to be voting to permit PennWest to continue
9 with the outlined curriculum plan but understanding
10 that it would be a piecemeal curriculum for each of
11 the campuses until the integration.]

12 MS. PACHTER SCHULDER:

13 Would the Board make a motion to go
14 ahead and approve PennWest's curriculum
15 in the interim until integration?

16 MS. MALADY:

17 So moved.

18 DR. COUGHLIN:

19 Second.

20 CHAIR KMETZ:

21 All those in favor? Opposed?

22 Abstentions?

23 [The motion carried. Member Hunsberger recused
24 himself from deliberations and voting on the motion.]

25

1 [Colby P. Hunsberger, DNP, RN, CNEcl, reentered the
2 meeting at 9:46 a.m.]

3 ***

4 Appointment - Commonwealth University of
5 Pennsylvania - Integration of Bloomsburg, Lock
6 Haven, and Mansfield Universities

7 [Kim Olszewski, DNP, CRNP, BC, COHN-S/CM, FAAOHN,
8 FAAN, Interim, Associate Dean School of Nursing,
9 Breiner Family Endowed Professorship of Nursing,
10 Commonwealth University of Pennsylvania, presented to
11 the Board to discuss the integration of three
12 universities to serve more students.

13 Dr. Olszewski stated Pennsylvania's State System
14 of Higher Education's Board of Governors approved the
15 consolidation of Bloomsburg University with Lock Haven
16 University and Mansfield University on July 14, 2021.

17 She noted all three universities submitted complex
18 substantive change reports to the Middle States
19 Commission on Higher Education in September 2021, and
20 all approved to go into effect on July 1, 2022.

21 Dr. Olszewski noted the university name change to
22 Commonwealth University began March 2 with each campus
23 of Bloomsburg University, Lock Haven University, and
24 Mansfield University continuing to be branded with
25 their logos, mascot, colors, and athletic

1 representation.

2 Dr. Olszewski reported that all three Council of
3 Trustees would include student representation from all
4 the universities but would be moving to a single
5 Council of Trustees by July 1, 2024. She noted the
6 Commonwealth University would have five colleges with
7 nursing listed under the College of Health Professions
8 and is being led by their Founding Dean, Dr. Leo-Felix
9 Jurado.

10 Dr. Olszewski noted nursing has 2 of the 35
11 different departments under the Commonwealth
12 University with Dr. Jennifer Shaffer as chair of the
13 graduate nursing and Dr. Jessica Bower as chair of the
14 undergraduate nursing.

15 Dr. Olszewski reported having a student body of
16 1,034 nursing students under Commonwealth University
17 School of Nursing and addressed the demographics. She
18 noted having 7 full-time faculty at Lock Haven
19 University and Mansfield University campuses and 20 at
20 Bloomsburg, along with a sizeable number of adjuncts
21 for support with clinical work.

22 Dr. Olszewski addressed policies and procedures,
23 noting they are moving to assure all three campuses
24 have representation on the governance of the School of
25 Nursing, along with having committees looking at

1 outcome and student progression and retention with
2 faculty development.

3 Dr. Olszewski stated no curricular changes were
4 elected to be made at this time. Staff are working
5 with Dr. Gerry Altmiller through December 2023
6 regarding curriculum development and alignment along
7 with the new American Association of Colleges of
8 Nursing (AACN) Essentials.

9 Dr. Olszewski noted the ADN curriculum would
10 remain at the Lock Haven University campus and would
11 be looking at their RN-BSN curriculum at Bloomsburg.
12 She also noted looking at the BSN program and aligning
13 Mansfield University and Bloomsburg University to have
14 one curriculum. She reported no changes to graduate
15 and DNP at this time.

16 Dr. Olszewski addressed their intent to move the
17 curriculum they are proposing through Commonwealth
18 University through their Integrated Curriculum
19 Committee September 2023 to December 2023 and would be
20 submitting the new curriculum proposals to the
21 Pennsylvania State Board of Nursing along with the
22 teach-out plan January 2024 to May 2024.

23 Dr. Olszewski addressed substantive changes after
24 approval, noting ACEN is the accrediting body for
25 Mansfield University and Lock Haven University, and

1 CCNE is the accrediting body for Bloomsburg with the
2 goal of August 2024 to implement the full new
3 curriculum and teach-out of the old curriculum.

4 Chair Kmetz thanked the Commonwealth University
5 of Pennsylvania for their thorough presentation.]

6 MS. PACHTER SCHULDER:

7 The two universities are taking
8 different tactics, but again, they would
9 need for the Board to go ahead and adopt
10 that portion of the plan that Dr.
11 Olszewski just laid out?

12 MS. MALADY:

13 So moved.

14 MS. VINCENT:

15 Second.

16 CHAIR KMETZ:

17 All those in favor? Opposed?

18 Abstentions?

19 [The motion carried unanimously.]

20 ***

21 [The Board recessed from 9:58 a.m. until 10:05 a.m.]

22 ***

23 Appointment - Jersey College - Establishment of a
24 Prelicensure Associate Degree in Applied Science in
25 Nursing (AAS) Program in Jenkintown, Pennsylvania.

1 Colette Gargiulo, MSN-Ed, RN, Provost; Greg
2 Karzhevsky, CEO and Chancellor, and Steven B. Litvack,
3 Esquire, President, presented on behalf of Jersey
4 College.

5 [Judith Pachter Schulder, Esquire, Board Counsel,
6 suggested Jersey College just explain the differences
7 and similarities between the two programs since they
8 presented Jersey College Scranton last month and the
9 Board is familiar with the proposal.

10 Ms. Gargiulo stated Jersey College wanted to
11 explore and establish two campuses, noting the one in
12 Scranton, which is their hospital-based program
13 located in Moses Taylor Hospital, was approved. She
14 explained that the difference is location.

15 Ms. Gargiulo noted having great success with
16 their curriculum over the years and using the same
17 policies and procedures to be universal. She noted
18 the program would have 50 students with 16-week
19 semesters with Cheryl Osnayo as the Administrative
20 Dean, who has been with the College since 2016.

21 Ms. Gargiulo reported that a good number of
22 students come from Pennsylvania because they cannot
23 find a school to fit their needs and was the impetus
24 of going into Jenkintown.

25 Chair Kmetz asked whether they would have

1 difficulty finding students.

2 Ms. Gargiulo reported having a large interest
3 from Pennsylvania, noting there is no stopgap between
4 general education courses like in many community
5 colleges, where students need to have a certain grade
6 point average (GPA). She addressed admission
7 standards, noting they are consistent throughout and
8 have to be met, where students start right away and go
9 into clinical with the foundations of nursing and are
10 supported to the end. She mentioned also having a
11 number of clinical locations and a memorandum of
12 understanding.

13 Mr. Karzhevsky commented that hospitals come to
14 them when they are closer to opening and most campuses
15 have approximately 20 to 25 sites.

16 Ms. Gargiulo addressed faculty and noted having a
17 talent inquisition component and constantly
18 interfacing with potential applicants, along with
19 having structured onboarding. She mentioned having
20 the dean and program chair within the structure for
21 support and having synchronous and asynchronous
22 courses to be effective educators and working with
23 faculty to utilize their skill set.

24 Ms. Pachter Schulder noted Jersey College has
25 affiliation agreements with several online program but

1 asked whether Jersey College is looking for other
2 universities.

3 Mr. Karzhevsky addressed the Accrediting
4 Commission of Careers Schools and Colleges (ACCSC)
5 accreditation and online programs and noted that their
6 students move on to many universities, including the
7 University of Pennsylvania, for their master's degree.

8 Ms. Pachter Schulder asked whether Jersey College
9 had any additional conversations with Middle States
10 since the last presentation.

11 Mr. Litvack informed Board members that Jersey
12 College has been in communication with Middle States
13 and are preparing their Accreditation Readiness
14 Report. He provided photos of the Jenkintown campus.

15 Ms. Pachter Schulder informed Jersey College that
16 the Board would discuss the request for a new Program
17 during Executive Session like the last time Jersey
18 College presented to the Board for the Scranton
19 Campus.]

20

21 Regulation Update

22 [Judith Pachter Schulder, Esquire, Board Counsel,
23 reported on the status of pending regulations, noting
24 she had no updates to offer for 16A-5139 regarding
25 Volunteer License and 16A-5141 regarding Nursing

1 Education Programs regulations.

2 Ms. Pachter Schulder referred to 16A-5143
3 regarding Continued Competency and Licensure by
4 Endorsement under 63 Pa.C.S. 3111, which is the Act 41
5 regulation allowing the Board to license someone by
6 looking at laws from the other states and the
7 applicant's proof of competence as opposed to the
8 qualification requirements under the Practice Acts.
9 She informed Board members that the Office of General
10 Counsel asked why the fee for this application is a
11 different amount depending on the license type and
12 recommended changing it so everybody is paying one fee
13 of \$120.

14 Ms. Pachter Schulder addressed another question
15 from the Office of General Counsel concerning whether
16 the Board wanted to put the Act 41 regulation in the
17 same section as the existing Licensure by Endorsement
18 provisions. She explained that the Board did not
19 choose to do that because it did not want licensees or
20 applicants to be confused about the various pathways
21 for licensure by endorsement.

22 Ms. Pachter Schulder explained that applicants
23 who do not meet the requirements under the Practice
24 Acts automatically move into the Act 41 pathway, but
25 once the regulations are published as final, an

1 applicant would have the choice of either the Practice
2 Act path or Act 41.

3 Dr. Coughlin asked Ms. Pachter Schulder to
4 explain the fee structure again due to technical
5 difficulties.

6 Ms. Pachter Schulder explained that the fee
7 structure for Licensure by Endorsement under Act 41
8 would be everyone who applies would pay the \$120 fee
9 rather than before where it was the fee that was
10 related to the closest license type. She stated there
11 was licensure by endorsement for RN and LPN, but for a
12 clinical nurse specialist (CNS), it was a
13 certification. She noted that for a certified
14 registered nurse practitioner (CRNP), it is an
15 application for certification. She explained that
16 this clarifies that it is \$120 for licensure by
17 endorsement under Act 41.]

18 ***

19 MS. PACHTER SCHULDER:

20 Is there a motion to adopt 16A-4143 with
21 that new amendment of \$120 for everyone?

22 MS. MALADY:

23 So moved.

24 DR. HUNSBERGER:

25 Second.

1 CHAIR KMETZ:

2 All those in favor? Opposed?

3 Abstentions?

4 [The motion carried unanimously.]

5 ***

6 Regulation Update continued

7 [Ms. Pachter Schulder reported concerning 16A-5144
8 regarding the CRNP Statement of Policy receiving one
9 comment and informed Board members that a notice was
10 published in the *Pennsylvania Bulletin* of a hearing
11 being held at the October meeting for anyone who wants
12 to speak on that point.

13 Ms. Pachter Schulder also noted that at the
14 request of the Pennsylvania Medical Society (PAMED),
15 the clause "that the CRNP act within the scope of the
16 written agreement," was added to the Statement of
17 Policy, but the Pennsylvania Coalition of Nurse
18 Practitioners (PCNP) has opined that they do not
19 believe that is necessary because everything that a
20 CRNP does under the law is in the agreement. This
21 will be the subject for discussion in October.

22 Ms. Pachter Schulder addressed 16A-5145 regarding
23 CRNA Licensure. She noted prior Board review of
24 comments and reminded the Board that it wanted
25 additional information about statements made by

1 Senator Mentzer prior to the vote on Senate Bill 416
2 based upon the Pennsylvania Society of
3 Anesthesiologists' (PSA) position that "overall
4 direction" always requires a surgeon. She read the
5 statements from the Legislative Journal.

6 Ms. Pachter Schulder noted that Senate Bill 416
7 and the proposed Annex do not include the requirement
8 for a surgeon as the law identifies physicians,
9 dentists, podiatrists, anesthesiology nurses, and
10 anesthesiologists. The Board decided that since this
11 requirement was not in the Bill, the Board would not
12 include it in the Annex.]

13 MS. PACHTER SCHULDER:

14 Chair, would you entertain a motion to
15 adopt 16A-5145 as proposed?

16 MS. MALADY:

17 So moved.

18 DR. HUNSBERGER:

19 Second.

20 CHAIR KMETZ:

21 All those in favor? Opposed?

22 Abstentions?

23 [The motion carried unanimously.]

24 ***

25 Regulation Update continued

1 [Ms. Pachter Schulder addressed 16A-5146 regarding
2 Additional Continuing Education. She noted the Board
3 is still waiting for information from organ donation
4 organizations regarding the cost of the courses and
5 she will follow up with the Department of Health.

6 Ms. Pachter Schulder addressed 16A-5147 regarding
7 the Nurse Licensure Compact (NLC). She noted
8 attending a training session in Ohio with Wendy Miller
9 that provided a lot of information. She mentioned
10 that in addition to the Compact contained in the
11 statute, there are also policies and regulations that
12 would need to be incorporated into the Board's
13 regulations as the *Phantom Fireworks* decision requires
14 the Boards to specifically identify the specific
15 versions being adopted.

16 Ms. Pachter Schulder noted having a discussion
17 with the Executive Director of the NLC, and the
18 position of the NLC is the Compact has primacy over
19 state law, for example related to Pennsylvania's
20 confidentiality restrictions on sharing investigatory
21 information. She stated draft language was submitted
22 to the FBI to address the federal fingerprint-based
23 criminal background checks but is waiting for a
24 response as to whether the language would be
25 acceptable. She mentioned that the statute would need

1 amended once the language is acceptable.

2 Ms. Pachter Schulder explained that the
3 regulation cannot move because the criminal background
4 piece cannot be identified. She also noted the need
5 to develop a fee for the cost of Pennsylvania
6 licensees to convert to a multistate license to
7 implement the Compact. She commented that everybody
8 who applies for a multistate license, even those with
9 licenses in Pennsylvania, would have to apply and that
10 part of the application would require them to submit a
11 federal fingerprint-based criminal background check.
12 She also reminded the Board that technological changes
13 will be necessary for implementation of the Compact.

14 Ms. Pachter Schulder addressed the Bureau of
15 Professional and Occupational Affairs (BPOA)
16 Regulation regarding Act 53 and Crimes Directly
17 Related to the Profession, noting questions were
18 submitted by the Office of General Counsel to the
19 proposed package. She stated anyone that committed a
20 felony would not be able to receive a multistate
21 license in Pennsylvania.

22 Chair Kmetz commented that people out in the
23 field often are bombarded by stakeholders asking why
24 the Compact has not happened yet.

25 Ms. Pachter Schulder suggested everyone explain

1 to stakeholders that while the statute passed, the
2 Board is unable to obtain the FBI background check
3 language, so the statute has to change. She reminded
4 everyone that other licensure compacts being enacted
5 in PA, like the ISMLE, PSYPACT and the OT Compact are
6 also not being implemented.]

7

8 Pennsylvania Legislative Update - Legislation
9 Affecting Nurses/Nursing

10 [Judith Pachter Schulder, Esquire, Board Counsel,
11 informed Board members that she updated the chart but
12 reported no additional bills have been introduced.
13 She noted that there are a few days left for this
14 legislative session and that this is a *sine die* year.]

15

16 Report of Board Chairperson - No Report

17 [Linda L. Kmetz, PhD, RN, Chair, informed everyone
18 that Kessey Kieselhorst's USQ is expiring and that
19 this is her last Board meeting. A proclamation is
20 being prepared.

21 Ms. Kieselhorst noted it to be an honor to be
22 part of the State Board of Nursing and thanked Board
23 members, attorneys, and staff members for their
24 kindness.]

25

1 Report of Acting Commissioner - No Report

2 ***

3 Report of Committees - Probable Cause Screening
4 Committee

5 [Sue E. Hertzler, LPN, noted moving on 13 Petitions
6 for Appropriate Relief and 20 Petitions for
7 Mental/Physical Examinations but had no Immediate
8 Temporary Suspensions.]

9 ***

10 Report of Committees - Application Review Committee
11 [Kristin Malady, BSN, RN, noted reviewing several
12 applications and moving those forward.]

13 ***

14 Report of Committees - Advanced Practice (Education,
15 Regulation, & Application) - No Report

16 ***

17 Report of Committees - RN/PN Practice, Education, &
18 Regulation - No Report

19 ***

20 Report of Committees - Dietitian-Nutritionist
21 Committee - No Report

22 ***

23 IT & Communication Issues Committee - No Report

24 ***

25 Report of Board Members Who Attended a Meeting on

1 is open with about 19 percent of RNs renewed, 17
2 percent of CRNPs, 15 percent of CNSs, and about 14
3 percent of Prescriptive Authority Collaborative
4 Agreements.

5 Ms. Miller also mentioned attending the Annual
6 Meeting and sitting in on NLC training with Board
7 Counsel in Ohio. She noted there was some reassurance
8 at the Annual Meeting that Pennsylvania is not alone
9 in some of the nursing issues. She addressed
10 discussion about the shortage in all aspects of
11 nursing and nurses leaving the bedside for other
12 things and more pay. She reported that some states
13 are looking at the scope of practice for optimizing
14 the use of LPNs who have been pushed out of acute care
15 and are coming back.

16 Ms. Miller stated NCSBN developed a process flow
17 for looking at discipline, intent, and making
18 recommendations as far as discipline for nurses. She
19 believed Pennsylvania has a good grasp on the NLC
20 Uniform Licensure Requirements and requirements for a
21 multistate license. She noted having work underway on
22 the fee but having to go back to the drawing board to
23 look at other potential costs associated, particularly
24 with criminal history record checks.

25 Ms. Pachter Schulder further explained that Ms.

1 Miller is speaking to the additional time associated
2 with reviewing federal fingerprint-based background
3 checks. Even licensees with active Pennsylvania
4 licenses will have to obtain the FBI background check
5 to convert from the current single state license to a
6 multistate license.

7 Ms. Pachter Schulder addressed individuals with
8 felonies. Under the NLC, applicants with felonies are
9 barred from obtaining a multistate license. The
10 Board's intent is to direct new applicants away from a
11 multistate license if the applicant answers
12 affirmatively to the question about a felony
13 conviction. Those applicants would be able to apply
14 for a single state license and the Board would
15 determine based upon Act 53 if the applicant qualifies
16 for a single state license. The same would apply for
17 licensees who are in alternative discipline programs.
18 They too cannot obtain a multistate license while
19 completing the alternative discipline program.

20 Ms. Miller informed Board members that she,
21 Practice Advisor Leslie House, and possibly the Acting
22 Commissioner will be presenting at an upcoming meeting
23 of the Pennsylvania Higher Education Nursing Schools
24 Association (PHENSA).

25 Ms. Pachter Schulder commented that Ms. House has

1 been sending letters to programs who submitted
2 proposals for new programs but failed to respond to
3 discrepancy letters from the Board. The letters ask
4 the programs whether they would like to proceed with
5 the proposal, and if so, the status of the response to
6 the discrepancies.

7 Ms. Miller stated the program and curriculum
8 change reviews were getting very prompt responses from
9 the Board. She reiterated that outstanding proposal
10 reviews are awaiting responses from the programs]

11 ***

12 Old Business

13 [Judith Pachter Schulder, Esquire, Board Counsel,
14 noted the Blanket Delegation Order would be discussed
15 during Executive Session. She stated the Board
16 currently has blanket delegation orders for
17 conviction, reciprocal discipline, and impairment
18 cases, which immediately go to the Hearing Examiner's
19 Office for hearing and the preparation of Proposed
20 Adjudications and Orders.

21 Ms. Pachter Schulder noted Board Counsel contacts
22 Board members in practice cases to see who might be
23 able to attend a hearing. She informed Board members
24 that they would be able to attend hearings in person
25 or virtually.

1 Ms. Miller announced that the open Nursing
2 Education Advisor position is going to be posted and
3 encouraged anybody interested to apply.]

4

5 New Business - Executive Order 2022-2

6 [Judith Pachter Schulder, Esquire, Board Counsel,
7 commented that as part of Executive Order 2022-2, the
8 Bureau is required to formally state that Pennsylvania
9 discourages the provision of reimbursement for
10 conversion therapy and inform the public of mechanisms
11 to report licensees who cause harm.]

12

13 New Business - 2022 Tri-Regulator Symposium

14 MS. MALADY:

15 I make a motion to send two people to
16 the 2022 Tri-Regulator Symposium.

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 - 2022 NCSTN Basic Board of Nursing

25 Investigator Training

1 [William A. Newport, Esquire, Senior Prosecutor in
2 Charge, informed Board members that the training is
3 geared more toward investigators and very few lawyers
4 attend and preferred sending two individuals to the
5 Discipline Conference in May or June.]

6 ***

7 New Business - 2022 NCSBN Leadership and Public Policy
8 Conference

9 MS. MALADY:

10 I'd like to make a motion to send four
11 people to the 2022 NCSBN Leadership and
12 Public Policy Conference on November 2.

13 DR. COUGHLIN:

14 Second.

15 CHAIR KMETZ:

16 All those in favor? Opposed?

17 Abstentions?

18 [The motion carried unanimously.]

19 ***

20 [Judith Pachter Schulder, Esquire, Board Counsel,
21 informed everyone that the 2022 December Board meeting
22 date has been changed from December 16 to December 15,
23 noting the change has also been made on the Board's
24 website.]

25 ***

1 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
2 11:03 a.m., the Board entered into Executive Session
3 with Judith Pachter Schulder, Esquire, Board Counsel;
4 Carole Clarke Smith, Esquire, Board Counsel; Ariel
5 O'Malley, Esquire, Board Counsel; Todd Kriner,
6 Esquire, Board Counsel; and Megan E. Castor, Esquire,
7 Board Counsel, for the purpose of conducting quasi-
8 judicial deliberations on the matters on the agenda
9 under the Report of Board Counsel, Report of
10 Prosecutorial Division, and Appointments. The Board
11 returned to Open Session at 12:12 p.m.]

12 ***

13 MOTIONS

14 MS. PACHTER SCHULDER:

15 During Executive Session, the Board
16 engaged in quasi-judicial deliberations
17 listed under the Report of Prosecutorial
18 Division, Report of Board Counsel, as
19 well as one of the Appointments. Board
20 members who recused themselves from
21 participating will identify themselves
22 with the various motions.

23 Is there a motion to approve Jersey
24 College's proposal for the Establishment
25 of a Prelicensure Associate Degree in

1 Applied Science in Nursing (AAS) Program
2 in Jenkintown?

3 MS. MALADY:

4 So moved.

5 DR. HUNSBERGER:

6 Second.

7 CHAIR KMETZ:

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 VRP
14 Consent Agreement items 2 through 14?

15 MS. MALADY:

16 So moved.

17 DR. HUNSBERGER:

18 Second.

19 CHAIR KMETZ:

20 All those in favor? Opposed?

21 Abstentions?

22 [The motion carried unanimously.]

23 ***

24 MS. PACHTER SCHULDER:

25 Is there a motion to approve the

1 following Consent Agreements, for which
2 members Hertzler and Kerns are recused,
3 at Case No. 21-51-009882, Case No. 20-
4 51-012255, and Case No. 21-51-018501?

5 MS. MALADY:

6 So moved.

7 DR. HUNSBERGER:

8 Second.

9 CHAIR KMETZ:

10 All those in favor? Opposed?

11 Abstentions?

12 [The motion carried. Members Hertzler and Kerns
13 recused themselves from deliberations and voting on
14 the motion. The Respondent's name at Case No. 21-51-
15 009882 is Tarah Elizabeth Cordier, RN; Case No. 20-51-
16 012255, Lisa Anderson Chamberlain, RN; and Case No.
17 21-51-018501, Jennifer Ann Headley, RN.]

18 ***

19 MS. PACHTER SCHULDER:

20 Is there a motion to adopt the following
21 Consent Agreements, for which there are
22 no recusals, at Case No. 21-51-017547,
23 Case No. 22-51-004503, Case No. 19-51-
24 014068, Case No. 19-51-011145, Case No.
25 21-51-000295, Case No. 21-51-012159, and

1 Case No. 20-51-014127?

2 MS. MALADY:

3 So moved.

4 DR. HUNSBERGER:

5 Second.

6 CHAIR KMETZ:

7 All those in favor? Opposed?

8 Abstentions?

9 [The motion carried unanimously. The Respondent's
10 name at Case No. 21-51-017547 is Christy Ladawn
11 Cunningham, RN; Case No. 22-51-004503, Esohe
12 Agbonkolor, LPN; Case No. 19-51-014068, Maryellen
13 Devlin, RN; Case No. 19-51-011145, Cindy Goldman
14 Miller, RN; Case No. 21-51-000295, Maryanne Hornberger
15 Leonard, CRNP; Case No. 21-51-012159, Kelli Walker,
16 RN; and Case No. 20-51-014127, Cortney Kay Williams,
17 RN.]

18 ***

19 MS. PACHTER SCHULDER:

20 Is there a motion to adopt the following
21 Consent Agreement at Case No. 19-51-
22 008281, for which member Kerns is
23 recused?

24 MS. MALADY:

25 So moved.

1 DR. HUNSBERGER:

2 Second.

3 CHAIR KMETZ:

4 All those in favor? Opposed?

5 Abstentions?

6 [The motion carried. Member Kerns recused herself
7 from deliberations and voting on the motion. The
8 Respondent's name Elizabeth Paige Buckins, RN.]

9 ***

10 MS. PACHTER SCHULDER:

11 Is there a motion to adopt the Consent
12 Agreement at Case No. 21-51-008349 for
13 which members Hertzler, Kerns, and
14 Hunsberger are recused?

15 MS. MALADY:

16 So moved.

17 DR. COUGHLIN:

18 Second.

19 CHAIR KMETZ:

20 All those in favor? Opposed?

21 Abstentions?

22 [The motion carried. Members Hertzler, Kerns, and
23 Hunsberger recused themselves from deliberations and
24 voting on the motion. The Respondent's name is
25 Clifford G. Hirneisen Jr., RN.]

1 ***

2 MS. PACHTER SCHULDER:

3 Is there a motion to reject the
4 following Consent Agreements on the
5 grounds that they are too lenient at
6 Case No. 20-51-006880, Case No. 21-51-
7 010482, Case No. 19-51-007049, and Case
8 No. 21-51-006034?

9 MS. MALADY:

10 So moved.

11 DR. HUNSBERGER:

12 Second.

13 CHAIR KMETZ:

14 All those in favor? Opposed?

15 Abstentions?

16 [The motion carried unanimously.]

17 ***

18 MS. PACHTER SCHULDER:

19 Is there a motion to amend the Blanket
20 Delegation Order in the cases involving
21 criminal convictions that would have the
22 Hearing Examiner certify the record
23 without preparing a proposed
24 Adjudication and Order?

25 MS. MALADY:

1 So moved.

2 DR. HUNSBERGER:

3 Second.

4 CHAIR KMETZ:

5 All those in favor? Opposed?

6 Abstentions?

7 [The motion carried unanimously.]

8 ***

9 MS. PACHTER SCHULDER:

10 Is there a motion to ratify the action
11 taken by the Committee to reinstate
12 licenses for Colleen Ford, RN, Case No.
13 22-51-011432, and Rachel Crawford, RN,
14 Case No. 22-51-009804?

15 MS. MALADY:

16 So moved.

17 DR. HUNSBERGER:

18 Second.

19 CHAIR KMETZ:

20 All those in favor? Opposed?

21 Abstentions?

22 [The motion carried unanimously.]

23 ***

24 MS. PACHTER SCHULDER:

25 Is there a motion to authorize Counsel

1 to prepare Adjudications and Orders in
2 the matters of Magalie Legagneur, Case
3 No. 21-51-009334; Erica Lynn Zapf, RN,
4 Case No. 22-51-005862; Mohamed Bashiru
5 Daramy, RN, Case No. 21-51-013419; and
6 Ibrahim Suarau, Case No. 21-51-014260?

7 MS. MALADY:

8 So moved.

9 DR. HUNSBERGER:

10 Second.

11 CHAIR KMETZ:

12 All those in favor? Opposed?

13 Abstentions?

14 [The motion carried unanimously.]

15 ***

16 MS. PACHTER SCHULDER:

17 Is there a motion to waive the English
18 language requirement for Jihyang Park
19 given the coursework the applicant
20 already has completed in English?

21 MS. MALADY:

22 So moved.

23 DR. HUNSBERGER:

24 Second.

25 CHAIR KMETZ:

1 All those in favor? Opposed?
2 Abstentions?

3 [The motion carried unanimously.]

4 ***

5 MS. PACHTER SCHULDER:

6 Is there a motion to grant the Motion to
7 Enter Default, to deem the facts
8 admitted and authorize Counsel to
9 prepare Adjudications and Orders in the
10 matters of Charles M. Ammon, CRNP, RN,
11 Case No. 21-51-009549, and Pamela
12 Wilson, LPN, Case No. 19-51-002847?

13 MS. MALADY:

14 So moved.

15 DR. HUNSBERGER:

16 Second.

17 CHAIR KMETZ:

18 All those in favor? Opposed?
19 Abstentions?

20 [The motion carried unanimously.]

21 ***

22 MS. PACHTER SCHULDER:

23 Is there a motion to enter defaults, to
24 deem the facts admitted and authorize
25 Counsel to prepare an Adjudication and

1 Order in the matter of Danielle Drais,
2 LPN, Case No. 21-51-003754, for which
3 members Hertzler and Kerns are recused?

4 MS. MALADY:

5 So moved.

6 DR. HUNSBERGER:

7 Second.

8 CHAIR KMETZ:

9 All those in favor? Opposed?

10 Abstentions?

11 [The motion carried. Members Hertzler and Kerns
12 recused themselves from deliberations and voting on
13 the motion.]

14 ***

15 MS. PACHTER SCHULDER:

16 Is there a motion to adopt the Hearing
17 Examiner's Proposal for Lisa L. Abbott,
18 RN, Case No. 20-51-007909, for which
19 members Hertzler and Kerns are recused?

20 MS. MALADY:

21 So moved.

22 DR. HUNSBERGER:

23 Second.

24 CHAIR KMETZ:

25 All those in favor? Opposed?

1 Abstentions?

2 [The motion carried. Members Hertzler and Kerns
3 recused themselves from deliberations and voting on
4 the motion.]

5 ***

6 MS. PACHTER SCHULDER:

7 Is there a motion to authorize Counsel
8 to prepare Adjudications and Orders in
9 the matters of Rhonda Lee Clark, LPN,
10 Case No. 21-51-001157, and Kathryn Ann
11 Riss, LPN, Case No. 20-51-005038, for
12 which there are no recusals?

13 MS. MALADY:

14 So moved.

15 DR. HUNSBERGER:

16 Second.

17 CHAIR KMETZ:

18 All those in favor? Opposed?

19 Abstentions?

20 [The motion carried unanimously.]

21 ***

22 MS. PACHTER SCHULDER:

23 Is there a motion to authorize Counsel
24 to prepare an Adjudication and Order in
25 the Matter of Erin Oakes, LPN, Case No.

1 21-51-007706, for which members Kerns
2 and Hertzler are recused?

3 MS. MALADY:

4 So moved.

5 DR. HUNSBERGER:

6 Second.

7 CHAIR KMETZ:

8 All those in favor? Opposed?

9 Abstentions?

10 [The motion carried. Members Kerns and Hertzler
11 recused themselves from deliberations and voting on
12 the motion.]

13 ***

14 MS. PACHTER SCHULDER:

15 Is there a motion to adopt the following
16 Draft Adjudications and Orders, for
17 which there are no recusals, for
18 Jennifer Lynn Bracelin, LPN, Case No.
19 18-51-011717; Tomassa L. Davis, LPN,
20 Case No. 19-51-001069; Charles Arthur
21 McDyer, Jr., RN, Case No. 20-51-010585;
22 Matthew J. Gastner, LPN, Case No. 19-51-
23 014595; Maketa S. Jolly, LPN, Case No.
24 19-51-002148; Kimberly Nicole Lahman,
25 LPN, Case No. 19-51-011014; Elizabeth K.

1 Koryak, RN, Case No. 19-51-009553;
2 Patricia Eckels Lewis, RN, Case No. 19-
3 51-002800; Linda Louise Shaffer, LPN,
4 Case No. 18-51-03841; Karen Merritt
5 Skwara, CRNP, RN, Case No. 19-51-018271;
6 Aaron O'Connell, RN, Case No. 19-51-
7 002759; Torri Elizabeth Ponessa, LPN,
8 Case No. 21-51-001747; and Natalie Dawn
9 Youngdale, RN, Case No. 19-51-013590?

10 MS. MALADY:

11 So moved.

12 DR. HUNSBERGER:

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 adopt the following
21 Draft Adjudications and Orders, for
22 which members Hertzler and Kerns are
23 recused, for Amanda Marie Naylor, RN,
24 Case No. 21-51-009243; Torri Elizabeth
25 Ponessa, LPN, Case Nos. 20-51-006820;

1 Steven Louis Woodson, LPN, Case No. 21-
2 51-001361; Barbara Ellen Williams, RN,
3 Case No. 20-51-001407; Beverly M.
4 Gayman, LPN, Case No. 19-51-008249;
5 Alisia L. Mason, LPN, Case No. 21-51-
6 011991; Tracy M. Dolinsky, RN, Case No.
7 21-51-006322; Ashley S. Cross, LPN, Case
8 No. 21-51-007677; and Jessie Marie Cox,
9 RN, Case No. 19-51-000451?

10 MS. MALADY:

11 So moved.

12 DR. HUNSBERGER:

13 Second.

14 CHAIR KMETZ:

15 All those in favor? Opposed?

16 Abstentions?

17 [The motion carried. Members Hertzler and Kerns
18 recused themselves from deliberations and voting on
19 the motions.]

20 ***

21 MS. PACHTER SCHULDER:

22 Is there a motion to adopt the Draft
23 Adjudications and Orders, for which
24 member Kerns is recused, in the matters
25 of Sasha Ely, LPN, Case No. 19-51-

1 008806; Natalie McBride, RN, Case No.
2 19-51-007317; and James G. McClure, LPN,
3 Case No. 19-51-008591?

4 MS. MALADY:

5 So moved.

6 DR. HUNSBERGER:

7 Second.

8 CHAIR KMETZ:

9 All those in favor? Opposed?

10 Abstentions?

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

13 ***

14 [Judith Pachter Schulder, Esquire, Board Counsel,
15 again reminded everyone that the 2022 December meeting
16 has been changed to December 15.]

17 ***

18 Adjournment

19 MS. MALADY:

20 I make a motion to adjourn.

21 DR. HUNSBERGER:

22 Second.

23 CHAIR KMETZ:

24 All those in favor?

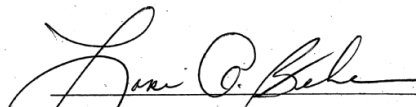
25 ***

1 [There being no further business, the State Board of
2 Nursing Meeting adjourned at 12:32 p.m.]

3 ***

4
5 CERTIFICATE

6
7 I hereby certify that the foregoing summary
8 minutes of the State Board of Nursing meeting, was
9 reduced to writing by me or under my supervision, and
10 that the minutes accurately summarize the substance of
11 the State Board of Nursing meeting.

12
13 

14 Lori A. Behe,

15 Minute Clerk

16 Sargent's Court Reporting
17 Service, Inc.

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STATE BOARD OF NURSING
REFERENCE INDEX

September 7, 2022

	TIME	AGENDA
1		
2		
3		
4		
5		
6		
7		
8		
9	9:16	Official Call to Order
10		
11	9:16	Introduction of Board Members
12		
13	9:16	Introduction of Attendees
14		
15	9:22	Adoption of Agenda
16		
17	9:23	Approval of Minutes
18		
19	9:23	Report of Prosecutorial Division
20		
21	9:34	Appointment - PennWest University
22		
23	9:47	Appointment - Commonwealth University of 24 Pennsylvania
25		
26	9:58	Recess
27		
28	10:05	Return to Open Session
29		
30	10:05	Appointment - Jersey College
31		
32	10:21	Regulation Update
33		
34	10:39	Legislative Update
35		
36	10:41	Committee Meetings
37		
38	10:43	Report of Board Members Who Attended a 39 Meeting on Behalf of the Board
40		
41	10:46	Report of Executive Secretary
42		
43	10:54	Old Business
44		
45	10:57	New Business
46		
47	11:03	Executive Session
48		
49	12:12	Return to Open Session
50		

STATE BOARD OF NURSING
REFERENCE INDEX
(Cont.)
September 7, 2022

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TIME	AGENDA
12:12	Motions
12:32	Adjournment