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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: 9:00 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

December 15, 2022

State Board of Nursing
December 15, 2022

BOARD MEMBERS:

Linda L. Kmetz, PhD, RN, Chair
Arion R. Claggett, Acting Commissioner,
Professional and Occupational Affairs
Ann Michele Coughlin, DNP, MBA, RN, Vice Chair
Sue E. Hertzler, LPN
Linda A. Kerns, Esquire, Public Member
Kristin Malady, BSN, RN
Bridget E. Vincent, MSN, CRNP, APN-BC, CCRN
Colby P. Hunsberger, DNP, RN, CNEcl
Tina D. Siegel, LPN
Charlene W. Compher, PhD, RD, LDN, FASPEN
Donald H. Bucher, DNP, ACNP-BC, CCRN

COMMONWEALTH ATTORNEYS:

Carole Clarke Smith, Esquire, Senior Board Counsel
Judith Pachter Schulder, Esquire, Board Counsel
Ariel E. O'Malley, Esquire, Board Counsel
Todd P. Kriner, Esquire, Board Counsel
Megan E. Castor, Esquire, Board Counsel
Jared Hinsey, Esquire, Assistant Counsel
William Newport, Esquire, Senior Prosecutor in
Charge, Board Prosecution Co-Liaison
T'rese Evancho, Esquire, Board Prosecutor, Board
Prosecution Co-Liaison
David J. Schertz, Esquire, Board Prosecutor
Matthew T. Sniscak, Esquire, Board Prosecutor
Lindsay Szymanski, Esquire, Board Prosecutor
Codi M. Tucker, Esquire, Board Prosecutor
Kathryn E. Bellfy, Esquire, Board Prosecutor
Trista Boyd, Esquire, Board Prosecutor
Madison Hales, Esquire, Board Prosecutor
Alex Capitello, Legal Analyst

DEPARTMENT OF STATE AND BOARD STAFF:

Wendy Miller, MSN, RN, Executive Secretary
Cynthia K. Miller, Board Administrator
Sue Petula, PhD, MSN, RN, NEA-BC, FRE, Nursing
Education Advisor
Leslie House, MSN, RN, Nursing Practice Advisor
Ann Marie Zvorsky, MSN, RN, CNE, Nursing Practice
Advisor

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DEPARTMENT OF STATE AND BOARD STAFF: (Cont.)

Susan Bolig, RN, Nursing Practice Advisor
 Marc Farrell, Acting Policy Director, Department of
 State
 Andrew LaFratte, MPA, Executive Policy Specialist,
 Department of State

ALSO PRESENT:

Jeffrey Bates, Esquire, Marshall Dennehey
 Santa Ann Lake, EdD, RN, CNE, Director, UPMC St.
 Margaret School of Nursing
 Jeffery Mann, Campus Director, Prism Career
 Institute
 Sharon Gordon, RN, Assistant Director of Nursing,
 Prism Career Institute
 Jessica Bellerby-Williamson, Student Services, Prism
 Career Institute
 Khadijah Williams, RN, Interim Director of Nursing,
 Prism Career Institute
 Nicole Campbell, MATL, Division Chief, Division of
 Law Enforcement Education and Trade Schools,
 Pennsylvania Department of Education
 Nancy Decker, Vice Chair, State Board of Private
 Licensed Schools
 Maribeth Wilt-Seibert, Board Counsel, State Board of
 Private Licensed Schools
 Jenny Piper, Board Administrator, Board of Private
 Licensed Schools
 Jennifer Smeltz, Republican Executive Director,
 Senate Consumer Protection & Professional Licensure
 Committee
 Adele Caruso, DNP, CRNP, FAANP, Pennsylvania
 Coalition of Nurse Practitioners
 P. Daniel Altland, Esquire, Pennsylvania Association
 of Nurse Anesthetists
 Deborah Little, EdD, RN, CNE, Corporate Assistant
 Dean of Nursing, Lincoln Educational Services
 Mary Elizabeth Doyle-Tadduni, PhD, MBA, RN, Division
 Head, Division of Nursing, DeSales University
 Carol Duell, MSN, RN, PN Program Coordinator, Eastern
 Center for Arts and Technology/Consultant
 Joshua Adams, DNP Student, Duquesne University
 Lori Spiezio, RN, Montgomery County Community College

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ALSO PRESENT: (Cont.)

Heather Haines, BSN, RN, Coordinator of Practical Nursing, Mifflin County Academy of Science & Technology

Marcia Landman, MSN-FNP, BSN, RN, Practical Nursing Assistant Director, United Career Institute

Peggy Pearl, Executive Director, Pennsylvania Coalition of Nurse Practitioners

Nicole Sidle, Republican Executive Director, House Professional Licensure Committee

Shay Diegel, BSN, RN, Prism Career Institute

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

Jean Marie Truman, MSN, DNP, Director of Nursing Program, Associate Professor of Nursing, University of Pittsburgh at Bradford

Wesley J. Rish, Esquire, Rish Law Office, LLC

Marian Shenberger, Professional Development

Assistant, Pennsylvania State Nurses Association

Mary Yost, PhD, RN, Drexel University

Brandy Hershberger, DNP, MSN, RN, UPMC

Tyler Burke, Milliron & Goodman, LLC

Kerry Lange, Milliron & Goodman, LLC

Marianne Johnson, Executive Director, Lansdale School of Business

Marlon Keller, President, Lansdale School of Business

Edward Cramp, Esquire, Duane Morris LLP, Prism Career Institute

Arlin Schmidt, Prism Career Institute

Sharisse Ajibade

Derek Richmond, Sergeants Reporting Service

1 ***

2 State Board of Nursing

3 December 15, 2022

4 ***

5 The regularly scheduled meeting of the State
6 Board of Nursing was held on Thursday, December 15,
7 2022. Linda L. Kmetz, PhD, RN, Chair, called the
8 meeting to order at 9:00 a.m.

9 ***

10 Introduction of Board Members

11 [Linda L. Kmetz, PhD, RN, Chair, asked the two new
12 Board members to introduce themselves.

13 Dr. Charlene Compher and Dr. Donald Bucher
14 provided a brief history of their professional
15 background.

16 Chair Kmetz also requested an introduction of
17 Board members.]

18 ***

19 Introduction of Board Staff

20 [Wendy Miller, MSN, RN, Executive Secretary, provided
21 an introduction of Board staff.]

22 ***

23 Introduction of Board Counsel

24 [Carole Clarke Smith, Esquire, Senior Board Counsel,
25 identified Board Counsel.]

1 ***

2 Introduction of Board Prosecution

3 [William A. Newport, Esquire, Senior Prosecutor in
4 Charge, identified members of Prosecution.]

5 ***

6 Introduction of Gallery and Virtual Attendees

7 [Cynthia K. Miller, Board Administrator, provided an
8 introduction of attendees.]

9 ***

10 Adoption of the Agenda

11 CHAIR KMETZ:

12 The agenda is before you. Do we have
13 any additions or corrections? If not,
14 may I have a motion for approval?

15 DR. COUGHLIN:

16 So moved.

17 DR. HUNSBERGER:

18 Second.

19 CHAIR KMETZ:

20 All those in favor? Opposed?

21 Abstentions?

22 [The motion carried. Members Compher and Bucher
23 abstained from voting on the motion.]

24 ***

25 [Judith Pachter Schulder, Esquire, Board Counsel,

1 reminded everyone that the meeting was being recorded
2 and voluntary participation constituted consent to be
3 recorded.]

4 ***

5 Adoption of Minutes of October 28, 2022

6 CHAIR KMETZ:

7 We have before us the minutes of
8 October 28, 2022. Any additions or
9 corrections to those minutes? Hearing
10 none, may I have a motion for approval?

11 MS. HERTZLER:

12 So moved.

13 DR. HUNSBERGER:

14 Second.

15 CHAIR KMETZ:

16 All those in favor? Opposed?

17 Abstentions?

18 [The motion carried. Members Compher and Bucher
19 abstained from voting on the motion.]

20 ***

21 Report of Prosecutorial Division

22 [Chair Kmetz noted VRP Consent Agreement items 2
23 through 16.]

24 ***

25 [Chair Kmetz noted Ms. Bellfy's items 17 through 19.]

1

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[Chair Kmetz noted Ms. Evancho's item 20.]

3

4

[Chair Kmetz noted Mr. Schertz's items 21 and 22.]

5

6

[Chair Kmetz noted Mr. Sniscak's item 23.]

7

8

[Chair Kmetz noted Ms. Szymanski's item 24.]

9

10

[Chair Kmetz noted Ms. Tucker's items 25 through 28.

11

Wesley J. Rish, Esquire, Rish Law Office, LLC,

12

Counsel for the Respondent, was present and

13

participated in the discussion regarding item 28.

14

Jeffrey Bates, Esquire, Marshall Dennehey,

15

Counsel for the Respondent, was present and

16

participated in the discussion regarding item 26.]

17

18

[Linda L. Kmetz, PhD, RN, Chair, exited the meeting

19

at 9:34 a.m. for recusal purposes.]

20

21

VICE CHAIR COUGHLIN ASSUMED THE CHAIR

22

23

Appointment - UPMC St. Margaret School of Nursing

24

Request to Increase Enrollment

25

[Judith Pachter Schulder, Esquire, Board Counsel,

1 informed Dr. Lake that the Board received their
2 materials and asked her to discuss their proposal to
3 increase enrollment and how it fits in with pass
4 rates and provisional status.

5 Santa Ann Lake, EdD, RN, CNE, Director, UPMC St.
6 Margaret School of Nursing, informed Board members
7 that UPMC's plan was to increase enrollment by 50
8 percent after looking at the need for increased
9 nursing and recognized that was not an option after
10 receiving provisional status but wanted to petition
11 to increase by 15 percent.

12 Dr. Lake stated UPMC St. Margaret was placed on
13 provisional status in 2021 due to a 73.3 percent
14 National Council Licensure Examination® (NCLEX®) pass
15 rate and that they would remain on provisional status
16 due to a 78.72 percent pass rate in 2022, noting one
17 student failed after waiting eight months to test.

18 Dr. Lake addressed multiple assessment measures
19 to ensure adequate resources and personnel to support
20 an increase in enrollment, including maximizing
21 space, increasing staff, a student success and
22 engagement manager, and clinical sites. She
23 explained that she is requesting 3.5 full-time
24 equivalents (FTEs) to manage clinical and classroom
25 support for 18 total additional seats.

1 Dr. Lake commented that one other student has not
2 tested but was provided resources. She mentioned
3 they cannot track and monitor without the temporary
4 practice permit (TPP) to see if someone tested and
5 was not successful and were unaware the student had
6 not tested, where they believed they has 80 percent
7 going into the last quarter.

8 Dr. Lake further discussed the role of the
9 student success and engagement manager, including
10 student assessment and barriers and helps coordinate
11 the academic support program, to be an advocate for
12 students and faculty. She also addressed recruitment
13 of faculty.

14 Ms. Pachter Schulder informed Dr. Lake that the
15 Board would deliberate on the matter and vote after
16 Executive Session and that she would also receive a
17 letter regarding the results. She explained that the
18 Board has received requests from other programs on
19 provisional status and has tabled those requests
20 pending the accomplishment of full approval status.]

21 ***

22 [Linda L. Kmetz, PhD, RN, Chair, reentered the
23 meeting at 9:46 a.m.]

24 ***

25 CHAIR KMETZ RESUMED THE CHAIR

1
2 Appointment - Request for an Extension of Provisional
3 Status - Prism Career Institute

4 [Judith Pachter Schulder, Esquire, Board Counsel,
5 informed Prism Career Institute that the Board is
6 aware of the 2021-2022 pass rate for Prism at 70.77
7 percent with 130 test takers, 76.02 percent in 2020-
8 2021 with 171 test takers, and 2019-2020 at 73.15
9 percent. She requested Prism Career Institute
10 discuss the information received from their
11 consultant.

12 Khadijah Williams, RN, Assistant Director of
13 Nursing, Prism Career Institute, informed Board
14 members that their consultant, Carol Duell, RN, has
15 been instrumental in assisting with the program
16 overall by reevaluating practices, systems, and
17 policies by aligning their philosophy and program
18 learning outcome and making it more cohesive.

19 Ms. Williams addressed the curriculum, noting
20 Board members previously raised questions of
21 inflation concerning grades. She stated Ms. Duell
22 provided feedback to manage and increase grade and
23 weight categories to strengthen and create more
24 integrity. She also noted Ms. Duell provided
25 feedback concerning remediation and testing to mimic

1 the NCLEX®.

2 Ms. Pachter Schulder asked whether Ms. Williams
3 being the Interim and Latisha Hayes, DNP, APRN-BC,
4 Director of Nursing, returning in several months had
5 any impact on implementing the consultant's
6 suggestions. She also requested information
7 regarding whether Ms. Duell would be reviewing what
8 is being implemented and not just making the
9 recommendation.

10 Ms. Williams explained that Dr. Hayes is aware of
11 Ms. Duell's recommendations and was a part of the
12 process. She informed Board members that Ms. Duell
13 would be helping throughout the process and not just
14 providing recommendations to be able to streamline
15 everything more appropriately.

16 Ms. Williams noted Prism utilizes Mountain
17 Measurements to find weaknesses, where they have
18 created more opportunities for remediation and
19 training, along with the Assessment Technologies
20 Institute (ATI) to provide more resources.

21 Ms. Williams addressed testing scores, grade
22 point average (GPA), and NCLEX® results per cohort.
23 She commented that the Test of Essential Academic
24 Skills (TEAS) passers as well as the failures of the
25 first-time NCLEX® testing were similar concerning

1 scores but noted passers had a slightly higher score
2 as opposed to the failures with the English component
3 and would be looking at possible adjustments. She
4 noted having about five students in both day and
5 evening classes, where English is not their first
6 language.

7 Ms. Williams addressed GPA data where someone
8 with a 3.0 had better success but noted that is not
9 always consistent and would require more research.
10 She mentioned the recommendation by the Board to have
11 a consultant, where Ms. Duell provided a lot of
12 perspective and insight on improving the curriculum
13 overall.

14 Ms. Pachter Schulder requested information
15 regarding remediation efforts for English as a second
16 language students and students with lower math and
17 science scores.

18 Ms. Williams explained that instructors are
19 alerted once they recognize English to be an issue
20 for students and offer individual tutoring sessions.
21 She noted ATI provides resources for students who
22 have English as a second language. She mentioned
23 that students with a low math or science score are
24 identified early by their TEAS score and are provided
25 weekly remediation with Prism personnel at the

1 beginning of the program for added support.

2 Ms. Williams addressed Prism's 21-day
3 provisional status, where once a student passes the
4 TEAS and admission testing, they are assessed for 21
5 days free of charge, looking for issues that may
6 prevent them from being successful. She stated
7 students are invited to reapply at a later time if
8 they have issues that would impede their success.

9 Chair Kmetz reminded everyone that the exam year
10 by regulation is calculated October 1 to September 30
11 and that is the standard by which every school is
12 evaluated.

13 Ms. Williams addressed tutoring, noting Prism has
14 instructors who are registered nurses and teaching
15 assistants who are licensed practical nurses who
16 assist with tutoring. She explained that case
17 studies are utilized to discuss the overall content
18 or subject matter regarding what they are learning so
19 principles are understood.

20 Chair Kmetz asked whether Prism has made any
21 progress in looking at reliability and validity of
22 their test items through data.

23 Ms. Williams explained that Prism is in the early
24 stages of the consultation relationship, but validity
25 of test items is on the agenda to be recognized and

1 addressed. She addressed customizing and creating
2 test items.

3 Carol Duell, MSN, RN, PN Program Coordinator,
4 Eastern Center for Arts and Technology, commented
5 that she has been working with Prism since mid-
6 October, where grade inflation was a concern and they
7 relied on too much remediation. She also noted the
8 need for additional face-to-face instruction and
9 making the curriculum more concise.

10 Ms. Pachter Schulder asked whether
11 recommendations were made to help students succeed on
12 the exam who had the prior curriculum and are set to
13 graduate soon.

14 Ms. Duell noted recommending ATI Live Review for
15 students in the program soon to graduate. She
16 mentioned the framework of the curriculum is almost
17 completed and that they would start reviewing the
18 actual theory and presentation of the four nursing
19 courses, along with the Next Generation and
20 electronic exam system at the beginning of January.

21 Dr. Coughlin requested information concerning
22 cohorts and class size.

23 Ms. Williams explained that Prism has four
24 cohorts during the day and three in the evening,
25 noting a reduction in class size to 30 and under

1 after the recommendation from the Board. She
2 commented that the Prism Admissions Committee decides
3 who is eligible for the program, along with having
4 the 21-day provisional status. She addressed Prism
5 Career Services regarding the tracking and graduation
6 process and Prism Student Services for students who
7 have issues and concerns.

8 Ms. Pachter Schulder informed Ms. Williams that
9 the Board would deliberate on Prism's request during
10 Executive Session and appreciates Prism hiring a
11 consultant and trying to effectuate Ms. Duell's
12 recommendations. She noted the Board would vote
13 after Executive Session whether to continue the
14 provisional status.]

15 ***

16 Appointment - Clinical Agency Site Approval Process
17 for the State Board of Private Licensed Schools
18 [Judith Pachter Schulder, Esquire, Board Counsel,
19 noted prior Board discussion concerning State Board
20 of Private Licensed Schools (SBPLS) under the
21 Department of Education and what role they have with
22 enterprise programs and their review on behalf of the
23 Department of Education for licensed practical nurse
24 (LPN) and registered nurse (RN) programs.

25 Nicole Campbell, MATL, Division Chief, Division

1 of Law Enforcement Education and Trade Schools,
2 Pennsylvania Department of Education, informed Board
3 members that she and Wendy Miller and her team had
4 conversations regarding PN programs where the State
5 Board of Nursing believed the SBPLS was scrutinizing
6 certain aspects of PN programs that they were not.

7 Ms. Campbell stated all of their licensed schools
8 offering PN programs have been mandated to submit a
9 new program application for their existing program
10 this August so it can be approved under the SBPLS.
11 She mentioned that the SBPLS's regulation covers more
12 of the educational components and business
13 activities, whereas the State Board of Nursing is
14 providing the expertise of the curriculum and
15 structure of that education. She reported joining
16 forces and getting programs approved under SBPLS
17 licensure.

18 Ms. Campbell stated PN programs are different
19 than their other programs that require the use of
20 remote site locations. She explained that their
21 remote sites are hands-on facilities that allow
22 students to practice skills that would otherwise not
23 be able to be in a school environment. She noted
24 that PN students who may not always be going to that
25 same remote location have space at the clinical site

1 of their choice or be offered the services for
2 training on the skills.

3 Ms. Campbell addressed discussion with Nancy
4 Decker, Vice Chair, SBPLS, to create ways to not
5 burden the school or the site. She stated many sites
6 are not going to be interested in having the SBPLS
7 come into their facilities requesting documents
8 because all of that has been approved by the State
9 Board of Nursing or Department of Health.

10 Ms. Campbell explained that the SBPLS would
11 typically request a Certificate of Occupancy and
12 Facility Floor Plan, which the Department of Health
13 would have obtained; signed Written Agreement; and
14 Surety Agreement. She explained that the SBPLS is
15 looking at accepting the State Board of Nursing's
16 approval of that site.

17 Ms. Campbell noted that once the school is
18 approved for the program by the SBPLS, during their
19 licensure renewals and compliance audits, they would
20 be further asking for confirmation of those approved
21 sites. She asked whether the SBPLS would be able to
22 have access to the Education Program Portal and
23 Information Communication Channel (eppiccNURSE) or
24 need to use the school's sign-on in order to be able
25 to receive confirmation of the approved sites.

1 Ms. Campbell also wanted to confirm with the
2 Board of Nursing values the SBPLS's visit and whether
3 the Nurse Board has an interested in them continuing
4 to do that. The Board indicated that it desired the
5 visits to continue.

6 Ms. Campbell also asked whether there was a
7 standard clinical site agreement because of concern
8 as to whether the site or the instructor for the
9 school is responsible for the student when on
10 clinical sites. Ms. Pachter Schulder noted that
11 clinical agreements are private agreements between
12 the program and the clinical site. She commented
13 that the clinical site would be responsible for a
14 slip and fall but believed the responsibility for the
15 nursing care provided by the student would be the
16 nursing education program.

17 Wendy Miller, MSN, RN, Executive Secretary,
18 stated the responsibility for the patient stays with
19 the facility and the nurse assigned to care for that
20 patient, but the school and instructor are
21 responsible for the student in terms of oversight and
22 evaluation of the student.

23 Sue Petula, PhD, MSN, RN, NEA-BC, FRE, Nursing
24 Education Advisor, commented that they always refer
25 to regulations in terms of requirements but that the

1 agreements typically are written. She noted there is
2 no standard format, but faculty is responsible for
3 students and the facility for patient management.
4 She noted there could be a shared issue if there is
5 an error and the standard of care is not being
6 followed by a faculty member or individuals were not
7 oriented to the exact student policy and procedure.

8 Maribeth Wilt-Seibert, Counsel, SBPLS, agreed
9 with the explanation and believed that confirms
10 SBPLS's stance that they do not understand the need
11 to make visits to institutions that have already been
12 approved in eppiccNURSE but would ask for copies of
13 the agreement as part of the process and rely on the
14 eppiccNURSE notation to say the institution itself is
15 licensed.

16 Ms. Campbell addressed the site visit, where the
17 school is responsible for providing SBPLS with the
18 Certificate of Occupancy, Facility Floor Plan, and
19 Site Agreement, in addition to maintaining surety on
20 that location and paying a site visit fee. She noted
21 SBPLS would conduct a site visit and have a tour of
22 the facility to ensure everything is safe, space is
23 adequate, and look for possible concerns with
24 students in the facility. She commented that their
25 site visit is surface compared to qualifying for a

1 Certificate of Occupancy and the Department of
2 Health's approval.

3 Dr. Petula noted this is something the Board
4 looks to SBPLS to address and is unlike what nursing
5 addresses. She stated the Board receives detailed
6 information and makes a site visit for an initial
7 program.

8 Dr. Petula addressed eppiccNURSE for ongoing
9 programs in terms of new agencies being submitted,
10 where programs could identify sites. She mentioned
11 there was an efficiency issue, where programs were
12 getting approvals by postal service and taking 45-60
13 days, and eppiccNURSE created an efficiency for site
14 approval within 24-48 hours. She noted the Board
15 approves sites electronically and an Excel
16 spreadsheet identifying all Board approvals for
17 clinical agencies is also available. She provided a
18 list of what the Board looks at during a site visit.

19 Dr. Petula commented that the additional
20 requirements of SBPLS are not part of the Board's
21 regulations and were a comfort and assurance to the
22 Board that requirements were meeting student needs.

23 Ms. Campbell noted they would still be continuing
24 the school site visits and the only ones they do not
25 see them adding any additional value in their site

1 visits are the clinical sites that have already
2 received other approvals.

3 Dr. Petula commented that the continuum of care
4 is across the lifespan from birth through senescence
5 and has gone far beyond the walls of an acute care
6 facility because there are only certain experiences
7 that could be garnered there. She stated that
8 experiences in home health, community health, and
9 public health have expanded.

10 Dr. Petula stated the majority of universities
11 and colleges have very few PN programs and that PN
12 programs are now mainly in vocational centers,
13 technical schools, and private licensed schools. She
14 noted clinical agencies are sometimes hard to come by
15 for many PN programs and have clinical site
16 coordinators often making the arrangements. She
17 mentioned seeing more clinical site coordinators
18 because of the complexity and nature of clinical
19 agencies and academic practice partnerships.

20 Nancy Decker, Vice Chair, SBPLS, commented that
21 SBPLS is not looking to the SBPLS to have their staff
22 make visits to all of the clinical sites. She stated
23 they that they visit the school and check out
24 classrooms but do not go to clinical sites for any
25 program. She noted it is through affiliation

1 agreements that the schools submit showing they have
2 an affiliation agreement with that facility, but
3 there is not a site inspection of every facility that
4 schools use.

5 Ms. Campbell stated the clinical sites are
6 oftentimes externships rather than courses where the
7 teacher is present and the lab skills are being
8 taught onsite, so a lot of their clinical sites are
9 built on externships, which they would not visit.

10 Ms. Miller asked whether the SBPLS does any type
11 of site visit for clinical sites that have an
12 instructor in a program within a private licensed
13 school.

14 Ms. Campbell explained that they would do a site
15 visit if they are not out on externship because it
16 would be classified as a remote location and require
17 a site visit. She stated they are looking to
18 classify the PN clinical sites more as externships
19 because of all of the additional paperwork and
20 approvals that have been received.

21 Dr. Hunsberger agreed with considering clinical
22 sites to be like an externship, noting PennWest
23 University has two campuses and 15-20 different
24 clinical sites and may decide to not want to have
25 clinical students there because of all of the site

1 visits.

2 Dr. Coughlin commented that the sheer number to
3 visit all of the sites would create a hurdle and
4 agreed that multiple visits to a site would be
5 unnecessary. She noted being comfortable with
6 students having a clinical instructor present.

7 Ms. Pachter Schulder commented that SBPLS can
8 treat them like an externship but still have their
9 policy written in such a way that there is an
10 understanding for the PN and RN clinicals where they
11 are not externships but are, in terms of the
12 inspection procedure, being treated the same way as
13 externships.

14 Ms. Campbell commented that they would issue a
15 policy memorandum for the PN programs enabling them
16 to say in lieu of the requirements for a PN program
17 as a remote site and have conditions and state the
18 rationale for why that was permitted.

19 Ms. Decker addressed student complaints, noting
20 they only review complaints that apply to their
21 regulatory oversight but would see a complaint
22 through and follow up on any complaints concerning
23 inadequate clinical sites. She noted complaint
24 procedures could be found in the school catalogue,
25 and a Clinical Affiliation Agreement is signed with

1 every clinical agency.

2 Ms. Pachter Schulder asked whether the SBPLS was
3 looking for a motion and suggested the State Board of
4 Nursing understands that the SBPLS will treat
5 clinical sites for nursing programs similar in terms
6 of inspection to how it treats externships for other
7 programs licensed by private licensed schools.

8 Ms. Wilt-Siebert stated the Board could either
9 wait for the policy to be written or take action at
10 this time with the understanding of being in
11 accordance with the policy that they intend to issue.

12 Ms. Pachter Schulder asked Board members whether
13 they wanted to vote today on an understanding or wait
14 until the January Board meeting to actually see the
15 draft policy, and Board members agreed to wait until
16 the policy is drafted.]

17 ***

18 [The Board recessed from 11:03 a.m. until 11:06 a.m.]

19 ***

20 Committee Meetings - RN/PN Practice, Education &
21 Regulation/Advanced Practice

22 [Judith Pachter Schulder, Esquire, Board Counsel,
23 noted prior discussion where the Board adopted the
24 Certified Registered Nurse Practitioner (CRNP)
25 Statement of Policy in its final form, noting "within

1 the scope of the collaborating agreement" and
2 "intravenous" was removed based upon the
3 recommendation of the Pennsylvania Coalition of Nurse
4 Practitioners (PCNP).

5 Ms. Pachter Schulder informed Board members that
6 in making those changes, it was noted that other
7 provisions in § 21.413(d) included "intravenous" so
8 additional amendment to the Annex is required. She
9 recommended that subsection (d)(1) would read, "the
10 specific amount of conscious sedation medications has
11 been ordered in writing by a licensed physician or
12 certified registered nurse practitioner and a
13 licensed physician or certified registered nurse
14 practitioner is physically present in the room during
15 administration."

16 Ms. Pachter Schulder also referred to (d)(2), and
17 recommended that it be amended to read, "written
18 guidelines specifying the medications that the
19 registered nurse may administer in a particular
20 setting are available to the registered nurse." She
21 referred to (d)(4), recommended the addition of "when
22 the conscious sedation is administered by
23 intravenous" after the word access. She also
24 recommended removing the word "intravenous" in (d)(6)
25 and (d)(7).

1 Adele Caruso, DNP, CRNP, Adult Nurse Practitioner
2 at Penn Medicine, University of Pennsylvania Health
3 System; Immediate Past President, Pennsylvania
4 Coalition of Nurse Practitioners, recommended that
5 the Board add "by applicable modes which may include,
6 but not limited to, intravenous" under § 21.413(d).
7 Ms. Pachter Schulder noted that this information will
8 be contained in the Preamble, but she did not believe
9 it was necessary to add it to the Annex.]

10 MS. PACHTER SCHULDER:

11 Is there a motion to adopt 16A-5144,
12 the CRNP Statement of Policy, in final
13 form as was discussed?

14 DR. COUGHLIN:

15 So moved.

16 MS. VINCENT:

17 Second.

18 CHAIR KMETZ:

19 All those in favor? Opposed?

20 Abstentions?

21 [The motion carried unanimously.]

22 ***

23 Regulation Update

24 [Judith Pachter Schulder, Esquire, Board Counsel,
25 provided a written Status Summary of Regulations for

1 the Board's review.

2 Ms. Pachter Schulder referred to 16A-5139
3 regarding the Volunteer License, noting Ms. Castor is
4 working on the regulation for all applicable boards.
5 She stated the Board already has Volunteer Health
6 License regulations but would need to make amendments
7 in accordance with changes to the 2014, 2007, and
8 2004 laws.

9 Ms. Pachter Schulder had nothing new to report on
10 16A-5141 regarding Nursing Education Programs.

11 Ms. Pachter Schulder noted 16A-5143 regarding
12 Continued Competency and Licensure by Endorsement
13 under 63 Pa.C.S. § 6311 was published in the
14 *Pennsylvania Bulletin* on December 10 and is now in
15 the public comment period. She mentioned the Board
16 would re-deliver the package to the Legislative
17 Committees and IRRC and then receive comments from
18 those entities when the Legislature returns the third
19 week in January as this is a *sine die* year.

20 Ms. Pachter Schulder noted 16A-5144 regarding the
21 CRNP Statement of Policy was adopted today in final
22 as amended.

23 Ms. Pachter Schulder informed Board members that
24 16A-5145 regarding CRNA Licensure was approved but
25 fees needed further discussion with the Revenue

1 Office.

2 Ms. Pachter Schulder informed Board members that
3 16A-5146 regarding Additional Continuing Education
4 was sent to Regulatory Counsel for review on June 10.

5 Ms. Pachter Schulder had nothing new to report on
6 16A-5147 regarding the Nurse Licensure Compact (NLC)
7 because she had not received any further information
8 from the Federal Bureau of Investigation (FBI)
9 regarding approval of mandatory language. She
10 reminded everyone that the language would need
11 approved by the FBI, then passed as an amendment to
12 the NLC by the legislature and signed by Governor
13 Wolf. Thereafter, the regulatory and technology
14 pieces can proceed.

15 Ms. Pachter Schulder noted the Bureau of
16 Professional and Occupational Affairs (BPOA)
17 regulation regarding Crimes directly related to the
18 profession were published on November 19. She
19 informed Board members that the package would come
20 back to the Board for their review.

21 Dr. Caruso again referred to prior discussion
22 regarding the language, applicable modes which may
23 include but not limited to.

24 Ms. Pachter Schulder explained that the Code and
25 Bulletin where the regulations are published does not

1 prefer "including but not limited to" generally, as
2 it is presumed that it includes all that can be
3 included.]

4

5 Pennsylvania Legislative Update - Legislation
6 Affecting Nurses/Nursing

7 [Judith Pachter Schulder, Esquire, Board Counsel,
8 noted the legislature is not in session and there are
9 not any new bills. She reminded everyone that all
10 bills would have to be reintroduced if they were not
11 passed.

12 She addressed Act 128 of 2022, noting it requires
13 registration of temporary health care service
14 agencies.]

15

16 Report of Board Chairperson - No Report

17

18 [Arion R. Claggett, Acting Commissioner, Bureau of
19 Professional and Occupational Affairs, informed Board
20 members that the Information Technology (IT) vendor
21 notified the department that they can no longer
22 support eppiccNURSE due to its age. He informed
23 everyone that eppiccNURSE would be added to the
24 Pennsylvania Licensing System (PALS) by the end of
25 February.

1 Acting Commissioner Claggett stated there would
2 be an opportunity for stakeholders to provide
3 comments on the new functionality of eppiccNURSE in
4 the middle of January. He noted training would be
5 provided for stakeholders and Board staff and added
6 to the PALS website.]

7 ***

8 Report of Committees - Probable Cause Screening
9 Committee

10 [Sue E. Hertzler, LPN, noted the Probable Cause
11 Screening Committee moved on eight Petitions for
12 Appropriate Relief, 26 Petitions for Mental and
13 Physical Evaluations, and no Immediate Temporary
14 Suspensions.]

15 ***

16 Report of Committees - Application Review Committee
17 [Kristin Malady, BSN, RN, Chair, noted the
18 Application Review Committee met via email several
19 times to discuss applications and moved those forward
20 through the process.]

21 ***

22 Report of Committees - Advanced Practice (Education,
23 Regulation, & Application) - No Report

24 ***

25 Report of Committees - RN/PN Practice, Education, &

1 Regulation

2 [Linda L. Kmetz, PhD, RN, Chair, noted prior
3 discussion during the meeting.]

4 ***

5 Report of Committees - Dietitian-Nutritionist
6 Committee

7 [Charlene W. Compher, PhD, RD, LDN, FASPEN, notified
8 everyone that dietitians must have a master's degree
9 in 2024 to enter the practice. She also mentioned
10 that dieticians already in practice with a bachelor's
11 degree would be grandfathered in but would not be as
12 competitive for promotions within their systems.]

13 ***

14 IT & Communication Issues Committee - No Report

15 ***

16 Report of Board Members Who Attended a Meeting on
17 Behalf of the Board - No Report

18 ***

19 Report of Executive Secretary

20 [Wendy Miller, MSN, RN, Executive Secretary, reminded
21 everyone that the October 31 renewal for RNs, CRNPs,
22 CNSs, and Prescriptive Authority for nurse
23 practitioners had been extended due to problems with
24 the external website to November 30 and then further
25 extended to December 31.]

1 Ms. Miller strongly encouraged everyone to
2 complete their renewal as soon as possible,
3 particularly if they have not done the mandatory 2
4 hours of Child Abuse Recognition and Reporting
5 Continuing Education because receiving confirmation
6 from a Board-approved provider takes time.

7 Ms. Miller encouraged everyone to review their
8 answers before submitting their renewal application.
9 She reported a larger than normal group of licensees
10 submitting renewals and answering no to having
11 completed their required continuing education. She
12 noted that causes the licensee to get an auto-
13 generated email from the system requiring the upload
14 of documentation that also changes the renewal of
15 those licenses to a manual process. She stated
16 licenses should automatically renew once their
17 documentation matches.

18 Ms. Miller mentioned that she and the Advisors
19 have been working very hard to get the Prelicensure
20 Annual Report and CRNP Annual Report released on
21 December 1. She addressed issues with program
22 directors regarding the Prelicensure Annual Report,
23 noting IT is aware of issues and working on it.

24 Ms. Miller reminded everyone to go to their
25 program's registration page for both CRNP and

1 prelicensure to review and update the information.
2 She noted that everyone should click "Save" even if
3 they have not updated anything to be able to progress
4 past the first page of the Annual Report.]

5 ***

6 Miscellaneous

7 [Wendy Miller, MSN, RN, Executive Secretary and
8 Nursing Practice Advisor, addressed pass rate results
9 from October 1, 2021, through September 30, 2022.
10 She provided documents for the Board's review. She
11 noted the five-year NCLEX® results are on the Board's
12 website and included in the report with the update
13 for this examination year. She also noted the
14 information is available on the National Council of
15 State Boards of Nursing (NCSBN) website.

16 Ms. Miller mentioned the RN pass rates for
17 Associate Degree in Nursing (ADN) programs, Bachelor
18 of Science in Nursing (BSN) programs, and Diploma
19 programs are broken down by credential earned. She
20 also provided a document looking at different states
21 and the United States averages broken down by
22 quarter, along with an updated list of Board-approved
23 Programs for RNs and PNs.

24 Ms. Miller reported five Associate Degree in
25 Nursing programs, five BSN programs, and six Diploma

1 programs were on provisional status in the 2020-2021
2 exam year. She reported four RN programs would be
3 coming off of provisional status based on 2021-2022
4 results. She reported 11 ADN programs, 9 BSN
5 programs, and 4 Diploma programs are on provisional
6 for the 2021-2022 exam year. She reported 12 of
7 those programs are on year 1, 10 are on year 2, 1 on
8 year 3, and 1 program over 5 years.

9 Ms. Miller reported 22 PN programs are on
10 provisional status for the 2020-2021 exam year and 9
11 are coming off. She noted 1 program has been on
12 provisional status for 8 years, 2 programs have been
13 on provisional status for 7 years, 1 program has been
14 on provisional status for 3 years, 1 program has been
15 on provisional status for 5 years, and 1 for over 5
16 years for 2021-2022 exam year.

17 Ms. Miller addressed how Pennsylvania pass rate
18 results compare with other states, noting
19 Pennsylvania is sixth in the country for the number
20 of RN and PN programs. She stated the average pass
21 rate for 2021-2022 is 79.92 percent nationally and
22 84.37 percent for Pennsylvania. She noted the United
23 States total of first-time RN test takers for the
24 2021-2022 exam year was 186,204 and 8,168 for
25 Pennsylvania. She reported the pass rate average for

1 BSN graduates educated in Pennsylvania was the
2 highest at 85.8 percent, Associate Degree graduates
3 were at 82.20 percent, and Diploma graduates at 81.94
4 percent.

5 Ms. Miller stated Pennsylvania graduates were
6 higher in all categories than the national average.
7 She reported BSN graduates averaged 82.5 percent,
8 Diploma programs at 78.11 percent, and Associate
9 Degree programs at 77.40 nationally. She reported
10 Pennsylvania was sixth in the number of PNs educated
11 in their jurisdiction. She noted the pass rate for
12 the 2021-2022 PN exam year was 80.09 percent
13 nationally and 81.41 percent for Pennsylvania.

14 Ms. Miller noted the United States total of
15 first-time Practical Nursing test takers was 46,435
16 with 1,845 educated in Pennsylvania. She stated the
17 five-year pass rates for RNs and PNs, which includes
18 the United States average, and the updated Board-
19 approved lists would be available today or tomorrow
20 on the Board's website. She also noted other
21 statistics are available on the NCSBN website, such
22 as the number of RNs broken down by BSN, ADN and
23 Diploma programs.

24 Ms. Pachter Schulder further addressed pass rates
25 and the importance of comparing Pennsylvania to other

1 states. She mentioned that every state controls
2 their own nursing education and could have some
3 effect. She noted the Board has been active in
4 discussions and making recommendations for programs
5 on provisional status and has included the national
6 statistics so that the Board and licensees could see
7 how Pennsylvania is doing.

8 Ms. Miller commented that there are a lot of
9 different variables that determine a graduate's
10 probability of passing, and NCLEX® is a legally
11 defensible standard for competency necessary for
12 state entry into practice. She stated a new version
13 of the NCLEX®, the Next Generation, is being
14 instituted and has undergone extensive study and
15 revision to better measure clinical judgment. She
16 noted being hopeful that graduates would test sooner
17 since changing the eligibility period to test back
18 down to 90 days about a year ago.

19 Ms. Miller noted that the NCSBN Board of
20 Directors voted at the December 2022 meeting to
21 uphold the current passing standards for the NCLEX®-
22 RN and PN Examinations when the Next Generation
23 NCLEX® is launched on April 1.

24 Ms. Miller addressed processing times and the
25 process that permits graduates are able to apply up

1 to 90 days prior to completing the program. She
2 explained that in a new process once an application
3 and the NEV submitted by a Pennsylvania-approved
4 program match, eligibility is communicated
5 electronically to Pearson VUE, and if the applicant
6 is registered with Pearson VUE, Pearson VUE will
7 issue the Authorization to Test (ATT).

8 Ms. Miller stated the Board receives a report for
9 those who are not registered with Pearson VUE, so the
10 Board can notify applicants to register with Pearson
11 VUE and are made eligible to test now within a few
12 days.

13 Ms. Miller addressed other aspects required for
14 licensure, including the mandatory 3 hours of Child
15 Abuse Continuing Education and criminal background
16 checks. She informed Board members that the
17 eligibility, TPP, and the issuing of the license for
18 Pennsylvania graduates is down to a matter of days.

19 Ms. Miller addressed NCSBN statistics regarding
20 the correlation between program completion and the
21 time to test that showed a slow steady decline in
22 pass rates that starts 60 days from graduation, but
23 it is not until beyond 120 days that pass rates drop
24 to 80 percent and below for RNs. She mentioned PNs
25 do not drop below 80 percent until 360 days following

1 graduation.

2 Ms. Miller mentioned that out-of-state graduates
3 are not included in the automated process because
4 educational equivalency must be determined so the
5 application for licensure is processed in a more
6 traditional manner but is hopeful that processing
7 time would also decline when staff has less to
8 manually review.

9 Leslie House, MSN, RN, Nursing Practice Advisor,
10 addressed the Individualized Supervised Practice
11 Pathways (ISPP) program for dietitian-nutritionist
12 licensure experience, noting it to be an additional
13 option for graduates who would like to sit for the
14 LDN exam but did not get picked for an internship or
15 have a graduate degree.

16 Ms. House stated those pathways were not accepted
17 previously but the Board now understands that there
18 is not much difference in what they were accustomed
19 to as far as their education. She stated the only
20 difference is that the Accreditation Council for
21 Education in Nutrition and Dietetics (ACEND) is
22 giving individuals another opportunity so someone
23 does not have to wait to continue their education
24 with their internship component and meet eligibility
25 requirements for the certification exam without

1 delay.

2 Ms. House mentioned that the initial concern was
3 that those pursuing this option were not being
4 followed as closely as those selected for the other
5 internship tracks. She noted that programs in
6 offering this specialized option must submit an
7 application to ACEND requesting approval prior to
8 adding to their curriculum. The option provides an
9 opportunity for individuals who were not selected for
10 an internship initially or already had a graduate
11 degree and are not required to complete the didactic
12 portion of the program.]

13

14 Old Business - Delegation Order

15 [Carole Clarke Smith, Esquire, Senior Board Counsel,
16 suggested having a discussion concerning Delegation
17 Order during Executive Session and providing a
18 summary during Open Session.]

19

20 New Business - Election of Officers

21 MS. MALADY:

22 I suggest we keep the officers the same
23 officers for another year.

24 MS. PACHTER SCHULDER:

25 We have a motion by Ms. Malady to

1 retain the current Chair structure with
2 Dr. Kmetz being Chair and Dr. Coughlin
3 being Vice Chair.

4 Is there a second?

5 MS. HERTZLER:

6 I'll second that.

7 CHAIR KMETZ:

8 All those in favor? Opposed?

9 Abstentions?

10 [The motion carried unanimously.]

11 ***

12 [Pursuant to Section 708(a)(5) of the Sunshine Act,
13 at 12:04 p.m., the Board entered into Executive
14 Session with Judith Pachter Schulder, Esquire, Board
15 Counsel; Carole Clarke Smith, Esquire; Board Counsel;
16 Ariel E. O'Malley, Esquire, Board Counsel; Todd P.
17 Kriner, Esquire, Board Counsel; and Megan E. Castor,
18 Esquire, Board Counsel, for the purpose of conducting
19 quasi-judicial deliberations on the matters on the
20 agenda under the Report of Board Counsel, Report of
21 Prosecutorial Division, and Appointments. The Board
22 returned to Open Session at 12:59 p.m.]

23 ***

24 MOTIONS

25 MS. PACHTER SCHULDER:

1 During Executive Session, the Board
2 engaged in quasi-judicial deliberations
3 under the Report of Prosecutorial
4 Division, Report of Board Counsel, and
5 the Appointments. Board members who
6 are recused or abstained on matters
7 will identify themselves during the
8 individual motions.

9 MS. CLARKE SMITH:

10 I believe, based on our discussions in
11 Executive Session, we have a couple of
12 motions regarding delegation of cases
13 to the hearing examiner.

14 I believe at first the Chair would
15 entertain a motion to rescind the
16 Delegation Order relating to criminal
17 conviction cases issued on September 9,
18 2022, and revert back to the Delegation
19 Order of November 20, 1996, where the
20 hearing examiner will prepare a
21 Proposed Adjudication and Order.

22 MS. MALADY:

23 So moved.

24 DR. COUGHLIN:

25 Second.

1 CHAIR KMETZ:

2 All those in favor? Opposed?

3 Abstentions?

4 [The motion carried unanimously.]

5 ***

6 MS. CLARKE SMITH:

7 I believe the Chair would entertain a
8 motion to remand back to the hearing
9 examiner for preparation of a Proposed
10 Adjudication and Order all cases
11 relating to criminal convictions that
12 had been certified to the Board to
13 include Sherry Bashore, Case No. 19-51-
14 011819; Guiddel Chachoute, Case No. 19-
15 51-004695; and Jaime Cook, Case No. 20-
16 51-013764.

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 MS. PACHTER SCHULDER:

2 Is there a motion to adopt the VRP
3 Consent Agreements at items 2 through
4 16?

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 unanimously.]

13 ***

14 MS. PACHTER SCHULDER:

15 Is there a motion to deny the following
16 Consent Agreements on the grounds that
17 they are too lenient at Case No. 18-51-
18 004444, Case No. 20-51-003711, Case No.
19 21-51-016812, Case No. 18-51-006337,
20 and Case No. 20-51-007925?

21 DR. HUNSBERGER:

22 So moved.

23 DR. COUGHLIN:

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 reject as drafted
7 the Consent Agreement at Case No. 22-
8 51-006298, for which members Hertzler,
9 Kerns, and Hunsberger are recused?

10 DR. COUGHLIN:

11 So moved.

12 MS. MALADY:

13 Second.

14 CHAIR KMETZ:

15 All those in favor? Opposed?

16 Abstentions?

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

20 ***

21 MS. PACHTER SCHULDER:

22 Is there a motion to adopt the
23 following Consent Agreements, for which
24 there are no recusals, at Case No. 21-
25 51-003971, Case No. 21-51-015512, Case

1 No. 19-51-002236, and Case No. 19-51-
2 004043?

3 DR. HUNSBERGER:

4 So moved.

5 MS. HERTZLER:

6 Second.

7 CHAIR KMETZ:

8 All those in favor? Opposed?

9 Abstentions?

10 [The motion carried unanimously. The Respondent's
11 name at Case No. 21-51-003971 is Jeremy Munson, RN;
12 Case No. 21-51-015512, Rebecca Anderson, RN; Case No.
13 19-51-002236, Diane Elam, RN, CRNP; and Case No. 19-
14 51-004043, Erica Sophia Stine, RN.]

15 ***

16 MS. PACHTER SCHULDER:

17 Is there a motion to table the Consent
18 Agreement at Case No. 18-51-008744?

19 DR. COUGHLIN:

20 So moved.

21 MS. VINCENT:

22 Second.

23 CHAIR KMETZ:

24 All those in favor? Opposed?

25 Abstentions?

1 [The motion carried unanimously.]

2 ***

3 MS. PACHTER SCHULDER:

4 Is there a motion to adopt the Consent
5 Agreement at Case No. 21-51-002981 for
6 which members Hertzler, Kerns, and
7 Hunsberger are recused?

8 DR. COUGHLIN:

9 So moved.

10 MS. MALADY:

11 Second.

12 CHAIR KMETZ:

13 All those in favor? Opposed?
14 Abstentions?

15 [The motion carried. Members Hertzler, Kerns, and
16 Hunsberger recused themselves from deliberations and
17 voting on the motion. The Respondent's name is
18 Philip M. Mundkowsky, RN.]

19 ***

20 MS. PACHTER SCHULDER:

21 The following cases were withdrawn at
22 items 47, 48, and 58.

23 ***

24 MS. PACHTER SCHULDER:

25 Is there a motion to grant the Motion

1 for Judgment on the Pleadings and
2 delegate for a hearing in the matter of
3 Susan Maholic Arnold, LPN, at Case No.
4 21-51-004613?

5 DR. COUGHLIN:

6 So moved.

7 DR. HUNSBERGER:

8 Second.

9 CHAIR KMETZ:

10 All those in favor? Opposed?

11 Abstentions?

12 [The motion carried unanimously.]

13 ***

14 MS. PACHTER SCHULDER:

15 Is there a motion to authorize Counsel
16 to negotiate a settlement per your
17 discussions today in the matter of
18 Norgren v. State Board of Nursing 744
19 CD 2022?

20 DR. COUGHLIN:

21 So moved.

22 DR. HUNSBERGER:

23 Second.

24 CHAIR KMETZ:

25 All those in favor? Opposed?

1 Abstentions?

2 [The motion carried unanimously.]

3 ***

4 MS. PACHTER SCHULDER:

5 In the matters of the Motions to Deem
6 Facts Admitted, is there a motion to
7 grant the motions to enter default, to
8 deem the facts admitted and to
9 authorize Counsel to prepare
10 Adjudication and Orders in the matters
11 of Crystal Marie Baca, RN, Case No. 20-
12 51-009340; Laurabeth Bentley, RN, Case
13 No. 21-51-010464; Sara Elizabeth Manso,
14 LPN, Case No. 21-51-003867; Tiffany Ann
15 Speakman, RN, Case No. 21-51-018872;
16 and Shakiera Monay Thomas, LPN, Case
17 No. 21-51-001833?

18 DR. COUGHLIN:

19 So moved.

20 DR. HUNSBERGER:

21 Second.

22 CHAIR KMETZ:

23 All those in favor? Opposed?

24 Abstentions?

25 [The motion carried unanimously.]

1 ***

2 MS. PACHTER SCHULDER:

3 Is there a motion to grant the motion
4 to enter default, to deem the facts
5 admitted and authorize Counsel to
6 prepare an Adjudication and Order in
7 the matter of Dixie Suzette Montague,
8 LPN, Case No. 18-51-006196, for which
9 member Kerns is recused?

10 DR. COUGHLIN:

11 So moved.

12 DR. HUNSBERGER:

13 Second.

14 CHAIR KMETZ:

15 All those in favor? Opposed?

16 Abstentions?

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

19 ***

20 MS. PACHTER SCHULDER:

21 Is there a motion to grant the motion
22 to enter default, deem the facts
23 admitted and authorize Counsel to
24 prepare an Adjudication and Order in
25 the matter of Jessica Stewart, LPN,

1 Case No. 21-51-002717, for which
2 members Hertzler and Kerns are recused?

3 DR. COUGHLIN:

4 So moved.

5 MS. VINCENT:

6 Second.

7 CHAIR KMETZ:

8 All those in favor? Opposed?

9 Abstentions?

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

13 ***

14 MS. PACHTER SCHULDER:

15 Is there a Motion to adopt and
16 substitute an order in the matter of
17 Theresa Amelia Verratti, RN, Case No.
18 22-51-009253, for which there are no
19 recusals?

20 MS. VINCENT:

21 So moved.

22 DR. COUGHLIN:

23 Second.

24 CHAIR KMETZ:

25 All those in favor? Opposed?

1 Abstentions?

2 [The motion carried unanimously.]

3 ***

4 MS. PACHTER SCHULDER:

5 Is there a motion to authorize Counsel
6 to prepare an Adjudication and Order in
7 the matter of Deborah L. Barr, RN,
8 CRNP, Case No. 22-51-010365, for which
9 members Hertzler, Hunsberger, and Kerns
10 are recused?

11 DR. COUGHLIN:

12 So moved.

13 MS. MALADY:

14 Second.

15 CHAIR KMETZ:

16 All those in favor? Opposed?

17 Abstentions?

18 [The motion carried. Members Hertzler, Hunsberger,
19 and Kerns recused themselves from deliberations and
20 voting on the motion.]

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 Sierra Delores Funk, RN,

1 Case No. 20-51-014174, for which
2 members Hertzler and Kerns are recused?

3 DR. COUGHLIN:

4 So moved.

5 MS. VINCENT:

6 Second.

7 CHAIR KMETZ:

8 All those in favor? Opposed?

9 Abstentions?

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

13 ***

14 MS. PACHTER SCHULDER:

15 Is there a motion to adopt the order of
16 the hearing examiner in the matter of
17 Maria Harshbarger, LPN, Case No. 21-51-
18 003481, for which members Hertzler and
19 Kerns are recused?

20 MS. VINCENT:

21 So moved.

22 DR. COUGHLIN:

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 an Adjudication and Order in
9 the matter of Marnie Larue, RN, LPN,
10 Case No. 21-51-007846, for which there
11 are no recusals?

12 MS. HERTZLER:

13 So moved.

14 DR. HUNSBERGER:

15 Second.

16 CHAIR KMETZ:

17 All those in favor? Opposed?

18 Abstentions?

19 [The motion carried unanimously.]

20 ***

21 MS. PACHTER SCHULDER:

22 Is there a motion to adopt the Draft
23 Adjudications and Orders, for which
24 there are no recusals, in the matters
25 of Charles M. Ammon, RN, CRNP, Case No.

1 21-51-009549; Rachael Lynn Collins,
2 LPN, Case No. 21-51-006789; Ashley
3 Nicole Emigh, LPN, Case No. 20-51-
4 011663; Ashley Harrington, RN, Case No.
5 19-51-011815; Christy Lyn Goodell, RN,
6 Case No. 22-51-002362; Eugina Moses-
7 Coston, RN, Case No. 22-51-001577;
8 Catherine Ann Overturf, RN, Case No.
9 21-51-010389; and Litonya Palmer, RN,
10 Case No. 19-51-012394?

11 MS. VINCENT:

12 So moved.

13 CHAIR KMETZ:

14 Do I hear a second?

15 MS. MALADY:

16 Second.

17 CHAIR KMETZ:

18 All those in favor? Opposed?

19 Abstentions?

20 [The motion carried. Members Compher and Bucher
21 abstained from voting on the motion.]

22 ***

23 MS. PACHTER SCHULDER:

24 Is there a motion to rescind the
25 previous motion for Maria Harshbarger,

1 LPN, to adopt the Hearing Examiner's
2 Proposal at Case No. 21-51-003481, for
3 which members Hertzler and Kerns are
4 recused?

5 DR. COUGHLIN:

6 So moved.

7 MS. VINCENT:

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.]

15 ***

16 MS. PACHTER SCHULDER:

17 Is there a motion to authorize Counsel
18 to prepare an Adjudication and Order in
19 the Matter of Maria Harshbarger, LPN,
20 Case No. 21-51-003481, for which
21 members Hertzler and Kerns are recused?

22 DR. COUGHLIN:

23 So moved.

24 DR. HUNSBERGER:

25 Second.

1 CHAIR KMETZ:

2 All those in favor? Opposed?

3 Abstentions?

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

7 ***

8 MS. PACHTER SCHULDER:

9 Back to the Adjudications and Orders,
10 for which members Hertzler and Kerns
11 are recused, is there a motion to adopt
12 the Draft Adjudications and Orders for
13 Joy Wiest Case, RN, Case No. 20-51-
14 001220; Kelsey Lynn Delp, LPN, Case No.
15 21-51-015184; Danielle Drais, LPN, Case
16 No. 21-51-003754; Tracy Ann Hauser, RN,
17 Case No. 21-51-015522; Ashley Ann
18 Raucci, LPN, Case No. 19-51-016675; and
19 Bobbi Rossi, RN, Case No. 20-51-009402?

20 DR. HUNSBERGER:

21 So moved.

22 MS. VINCENT:

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. Members Compher and Bucher abstained
5 from voting on the motion.]

6 ***

7 MS. PACHTER SCHULDER:

8 Is there a motion to adopt the Draft
9 Adjudications and Orders, for which
10 Hertzler, Hunsberger, and Kerns are
11 recused, for Donna L. Favinger, LPN,
12 Case No. 22-51-003285, and Kristy
13 Elizabeth Hindman, LPN, Case No. 21-51-
14 016407?

15 DR. COUGHLIN:

16 So moved.

17 MS. MALADY:

18 Second.

19 CHAIR KMETZ:

20 All those in favor? Opposed?

21 Abstentions?

22 [The motion carried. Members Hertzler, Hunsberger,
23 and Kerns recused themselves from deliberations and
24 voting on the motion. Members Compher and Bucher
25 abstained from voting on the motion.]

1 ***

2 MS. PACHTER SCHULDER:

3 Is there a motion to grant an extension
4 of provisional status to Prism Career
5 Institute and have them come back to
6 the Board at its June 5 meeting to
7 advise the status with regard to their
8 first quarter pass rates and additional
9 improvements that have been made to the
10 program?

11 DR. COMPHER:

12 So moved.

13 MS. MALADY:

14 Second.

15 CHAIR KMETZ:

16 All those in favor? Opposed?

17 Abstentions?

18 [The motion carried unanimously.]

19 ***

20 VICE CHAIR COUGHLIN ASSUMED THE CHAIR

21 ***

22 MS. PACHTER SCHULDER:

23 The last matter, for which Chair Kmetz
24 is recused, is there a motion to table
25 the request of UPMC St. Margaret School

1 of Nursing to increase their enrollment
2 until after they are no longer on
3 provisional status?

4 DR. COMPHER:

5 So moved.

6 MS. MALADY:

7 Second.

8 VICE CHAIR COUGHLIN:

9 All those in favor? Opposed?

10 Abstentions?

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

13 ***

14 CHAIR KMETZ RESUMED THE CHAIR

15 ***

16 Adjournment

17 DR. BUCHER:

18 Motion to adjourn.

19 DR. HUNSBERGER:

20 Second.

21 CHAIR KMETZ:

22 All those in favor?

23 ***

24 [There being no further business, the State Board of
25 Nursing meeting adjourned at 1:16 p.m.]

CERTIFICATE

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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.



Derek Richmond,
Minute Clerk
Sargent's Court Reporting
Service, Inc.

STATE BOARD OF NURSING
REFERENCE INDEX

December 15, 2022

	TIME	AGENDA
1		
2		
3		
4		
5		
6		
7		
8		
9	9:00	Official Call to Order
10		
11	9:00	Introduction of Board Members
12		
13	9:00	Introduction of Attendees
14		
15	9:12	Adoption of Agenda
16		
17	9:13	Approval of Minutes
18		
19	9:13	Report of Prosecutorial Division
20		
21	9:34	Appointment - UPMC St. Margaret School of Nursing Request to Increase Enrollment
22		
23		
24		
25	9:48	Appointment - Request for an Extension of Provisional Status for Prism Career Institute
26		
27		
28		
29	10:22	Appointment - Clinical Agency Site Approval Process for the State Board of Private Licensed Schools
30		
31		
32		
33	11:03	Recess
34		
35	11:06	Return to Open Session
36		
37	11:06	Committee Meetings
38		
39	11:12	Regulation Update
40		
41	11:17	Legislative Update
42		
43	11:18	Report of Acting Commissioner
44		
45	11:20	Report of Committees
46		
47	11:22	Report of Executive Secretary
48		
49	11:47	Miscellaneous
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STATE BOARD OF NURSING
REFERENCE INDEX
(Cont.)

December 15, 2022

- 12:01 Old Business
- 12:02 New Business
- 12:04 Executive Session
- 12:59 Return to Open Session
- 12:59 Motions
- 1:16 Adjournment