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

FINAL MINUTES

MEETING OF:

STATE BOARD OF NURSING

TIME: 9:21 a.m.

Board Room B
One Penn Center
2601 North Third Street
Harrisburg, Pennsylvania 17110

Friday, October 27, 2017
Board/Commission Members:

Linda L. Kmetz, PhD, RN, Chairperson
Ian J. Harlow, Commissioner of Professional and Occupational Affairs
Ann Michele Coughlin, MBA, MSN, RN, Vice Chair
Robert E. Ames, Public Member - Absent
Suzanne Hendricks, BSBH, RN, LPN
Sue E. Hertzler, LPN
Linda A. Kerns, Esquire, Public Member
Kessey J. Kieselhorst, MPA, RD, LDN, CPHQ
Sherri Luchs, RN
Kristin Malady, BSN, RN
John M. O’Donnell, DrPH, RN, CRNA, MSN - Absent
Jason R. Owen, Esquire, Public Member
Bridget E. Vincent, CRNP

Bureau Personnel:

Judith Pachter Schulder, Esquire, Board Counsel
Megan E. Castor, Esquire, Board Counsel
Carole Clarke Smith, Esquire, Board Counsel
Ariel O’Malley, Esquire, Board Counsel
Margaret A. Sheaffer, Esquire, Board Prosecution Liaison
Jonathan Colbert, Administrative Officer
Andrea L. Costello, Esquire, Board Prosecutor
Katherine Delp, Esquire, Board Prosecutor
Adam Morris, Esquire, Board Prosecutor
William Newport, Esquire, Board Prosecutor
Matthew Sniscak, Esquire, Board Prosecutor
T’rese Evancho, Esquire, Board Prosecutor
J. Karl Geschwindt, Esquire, Board Prosecutor
Heather McCarthy, Esquire, Board Prosecutor
David Schertz, Esquire, Board Prosecutor
Timothy Smith, Esquire, Board Prosecutor
Lindsay Szymanski, Esquire, Board Prosecutor
Sue Petula, Ph.D., MSN, RN, NEA-BC, FRE, Nursing Education Advisor
Wendy Miller, MSN, RN, Nursing Practice Advisor
Cynthia K. Miller, Board Administrator
Laurette Keiser, MSN, RN, Executive Secretary

Sargent's Court Reporting Service, Inc.
(814) 536-8908
ALSO PRESENT:

Alicia Lentz, Mifflin County Academy of Science & Technology Practical Nursing Program
Cheryl Krieg, Director, Clearfield County Career & Technology Center Practical Nursing
Janyce Collier, MSN, RN, CNE, Director, Franklin County Career & Technology Center Practical Nursing Program
Pam Hoffeditz, Franklin County Career & Technology Center Practical Nursing Program
Debora Coombs, Franklin County Career & Technology Center Practical Nursing Program
Heather Clark, Penn State Practical Nursing Program
Joan Campagna, RN, CCRN, Jersey Nurses Economic Security Organization
Jodie Campbell, Director, Lancaster Career & Technology Center
Rob Guillory, Assistant Director, Lancaster Career & Technology Center
Mary Lou Taylor, CRNA, BSN, Secretary, Pennsylvania Association of Nurse Anesthetists
Michael Siget, Legislative and Regulatory Counsel, Pennsylvania Medical Society
Timothy Inverso, MSN, RN, CEN, Prism Career Institute-Philadelphia
Mary Marshall, Director, Workforce & Professional Services, Hospital & Healthsystem Association of Pennsylvania
Nancy K. Haughton, Chester County Intermediate Unit Practical Nursing Program
Louise S. Frantz, RN, BSN, MHA, Ed, Coordinator, Penn State Berks Practical Nursing Program
Kimberly Delbo, RN, MSN, CSN, Director, Central Susquehanna LPN Career Center
Donald Bucher, DNP, ACNP-BC, FCCP, Pennsylvania Coalition of Nurse Practitioners
Kathie Simpson, RN, Executive Director, Pennsylvania Nursing Peer Assistance Program
Destiney Polanco, Penn State Berks Practical Nursing Program
Brianne DeAngelo, Penn State Berks Practical Nursing Program
Mark L. Tykocinski, M.D., Provost and Executive Vice President for Academic Affairs, Thomas Jefferson University
Ann Phalen, PhD, CRNP, NNP-BBC, Interim Dean
Jefferson College of Nursing, Thomas Jefferson University
The regularly scheduled meeting of the State Board of Nursing was held on Friday, October 27, 2017. Linda L. Kmetz, PhD, RN, Chairperson, called the meeting to order at 9:21 a.m. Ian J. Harlow, Commissioner of Professional and Occupational Affairs, was not present at the commencement of the meeting.

Dr. Kmetz reviewed the emergency evacuation procedures for One Penn Center.

[Members of the Board and staff introduced themselves as well as visitors in attendance.]

MS. PACTER SCHULDER:

If we could, please, ratify the vote of September 14, 2017, for quorum purposes due to recusals and absences for the following cases. Those of you who were absent, if you had read the material, you certainly could vote in favor or oppose to ratify. If you did not read the materials because you knew you were
not going to be here, please go ahead and abstain.

The motions are for the Consent Agreements for File Nos. 16-51-03853, 16-51-09571, 16-51-02312, 16-51-08178; the Motion to Deem Facts Admitted for Wendy Lynn Walters, LPN, File No. 16-51-09969; the Hearing Examiner Proposals for Kimberly A. Bernhardt, RN, File No. 16-51-01748 and Maria Rose Chupein, RN, File No. 16-51-03895; and Adjudications and Orders for Daniele Leigh Connolly, LPN, File No. 16-51-09766; Amber Frances Stewart, RN, File No. 16-51-02467; and Cheryl Leigh Watson, RN, File No. 16-51-03654, for which members Ames, Coughlin, and Hendricks are recused.

Is there a motion to ratify?

MS. MALADY:

So moved.

MR. OWEN:

Second.

CHAIRPERSON KMETZ:

All those in favor?  Opposed?
Abstentions?

[The motion carried. Linda A. Kerns and Sherri Luchs abstained from voting on the motion. Ann Michele Coughlin and Suzanne Hendricks were recused from deliberations and voting on the motion.]

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Adoption of the Agenda

CHAIRPERSON KMETZ:

We have the agenda for today. Any additions or corrections? If none, may I hear a motion for approval?

[The Board discussed additions and corrections to the agenda.]

MS. HENDRICKS:

So moved.

MS. HERTZLER:

Second.

CHAIRPERSON KMETZ:

Any other additions or corrections? Hearing none. May I have a motion for approval?

[The motion carried unanimously.]

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Adoption of Minutes

CHAIRPERSON KMETZ:
We have the Minutes of September 14 before us. Any additions or corrections to those Minutes? Hearing none. May I have a motion for approval?

MR. OWEN:

So moved.

MS. HENDRICKS:

Second.

CHAIRPERSON KMETZ:

All those in favor? Opposed?

Abstentions?

[The motion carried. Linda A. Kerns, Sherri Luchs, and Kessey J. Kieselhorst abstained from voting on the motion.]

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Report of Prosecutorial Division

[Adam Morris, Esquire, Board Prosecutor, on behalf of Keith E. Bashore, Esquire, Board Prosecutor, presented the following Consent Agreements: File No. 16-51-02054 and File No. 17-51-08944.]

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[Adam Morris, Esquire, Board Prosecutor, presented the following Consent Agreements: File Nos. 17-51-01694 & 15-51-06745, File No. 15-51-08040, File No. 16-51-08271, File No. 16-51-08273, File No. 16-51-14985,]

Members Coughlin and Hendricks were recused from discussion on File No. 16-51-08271. Members Hendricks, Kerns, and Luchs were recused from discussion on File No. 17-51-00004, File No. 17-51-02369, and File No. 17-51-05088.

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[Katherine Delp, Esquire, Board Prosecutor, presented a Consent Agreement for File No. 17-51-00626.]

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[T’rese Evancho, Esquire, Board Prosecutor, presented the following Consent Agreements: File No. 14-51-02547, File No. 15-51-02548 and File No. 16-51-12602.

Members Hendricks, Kerns, and Luchs were recused from discussion on File No. 16-51-12602.]

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Members Coughlin, Hendricks, and Kerns were recused from discussion on File No. 16-51-11805. Ms.
Hendricks recused herself from discussion on File No. 17-51-01480.]

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[Ian J. Harlow, Commissioner of Professional and Occupational Affairs, entered the meeting at 9:32 a.m.]

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Report of Commissioner

[Ian J. Harlow, Commissioner of Professional and Occupational Affairs, addressed the problems Board members were having with accessing their Commonwealth email. He updated the Board on the PALS project in relation to license renewals. He also noted that the ability to access files in that system was still roughly three to four months away.

Commissioner Harlow discussed name changes on driver's licenses. A name change made with PennDOT before being made with the Department of State will be verified against PennDOT with an instant name change. Commissioner Harlow stated this process will not be available until the beginning of the year.

Commissioner Harlow informed the Board of Governor Wolf’s Executive Order requiring a thorough review of licensing practices, which includes the comparison of 255 license types in 50 different
states. He stated the Board will be able to review the report and make recommendations after the report is issued to the Governor.

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[Ian J. Harlow, Commissioner of Professional and Occupational Affairs, exited the meeting at 9:45 a.m.]

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Report of Prosecutorial Division (Continued)

[Heather McCarthy, Esquire, Board Prosecutor, presented the following Consent Agreements: File No. 16-51-12150 and File No. 17-51-07245.

It was noted the Consent Agreement for File Nos. 16-51-04606 & 17-51-02465 were withdrawn.]

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Members Hendricks, Kerns, and Luchs were recused from discussion on File No. 16-51-12475 and File No. 17-51-06727.]

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[David J. Schertz, Esquire, presented the following Consent Agreements: File No. 15-51-13443 and File No. 16-51-12475.]

Sargent's Court Reporting Service, Inc.
(814) 536-8908
[Margaret Sheaffer, Esquire, Board Prosecutor, presented the following Consent Agreements: File No. 17-51-06598 and File No. 17-51-09349.]

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[Timothy Smith, Esquire, Board Prosecutor, presented the following Consent Agreements: File No. 16-51-12153 and File No. 17-51-07348.]

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[Matthew Sniscak, Esquire, Board Prosecutor, presented a Consent Agreement for File No. 15-51-08053.]

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[Lindsay Szymanski, Esquire, Board Prosecutor, presented the following Consent Agreements: File No. 16-51-06895 and File No. 16-51-09220.

Ms. Coughlin recused herself from discussion on File No. 16-51-09220.]

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Appointment

Pennsylvania Association of Practical Nursing Administrators Presentation

[Janyce L. Collier, MSN, RN, CNE, President, Pennsylvania Association of Practical Nursing Administrators, presented a paper titled Front and
Center, which highlights the role, trends and the
future of licensed practical nursing in Pennsylvania.

Ms. Collier stated the paper was written by Dr.
Linda Rhodes, former Pennsylvania Secretary of Aging,
who is very knowledgeable of the aging population in
this state. She commented that Pennsylvania has the
largest elderly population in rural areas, and that by
the year 2030, Texas will have the largest shortage of
LPNs, followed by Pennsylvania.

Ms. Collier referred to statistical information
for further discussion on the matter. She stated the
Institute of Medicine in its *Future of Nursing* report
identified that nursing needs to become more diverse.
Ms. Collier indicated there are 57 practical nursing
programs and 52,000 licensed practical nurses in
Pennsylvania with an average salary of $42,000 a
year.]

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[Kimberly Delbo, Director, Central Susquehanna LPN
Career Center, discussed the continuing education
requirements for nurses across the nation. She stated
90 percent of states have equitable requirements for
RNs and LPNs, and Pennsylvania is the only state that
does not require continuing education outside of the
required child abuse education for practical nurses.
Ms. Delbo asked the Board to consider requiring continuing education for licensed practical nurses in the Commonwealth. She posited that licensed practical nurses would be more valued if they were held to the same standard as registered nurses and requiring continuing education for licensed practical nurses would benefit patients.

Ms. Pachter Schulder noted that Commissioner Harlow had just addressed a recent Executive Order which would review, amongst other factors, the requirements for continuing education. Ms. Pachter Schulder further noted a statute change is required in order to mandate continuing education.]

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Legislative Update/Advanced Practice Committee

[Donald Bucher, DNP, ACNP-BC, FCCP, represented the Pennsylvania Coalition of Nurse Practitioners, which is a statewide organization that helps promote change to legislation on behalf of CRNPs. Mr. Bucher discussed the passage of Senate Bill 25, as amending CRNP provisions in the Professional Nursing Law. The House version, House Bill 100, is before the Professional Licensure Committee. He referred to the 3-year, 3600-hour transition as a compromise. Liability insurance was also discussed.]
[Mary Lou Taylor, CRNA, BSN, Secretary, Pennsylvania Association of Nurse Anesthetists, discussed the passage of Senate Bill 274 regarding certified nurse anesthetists. The companion bill in the House, House Bill 719, is before the Professional Licensure Committee. She noted opposition to House Bill 789, addressing the administration of anesthesia, introduced by Representative Christiana of Beaver County, and referred to it as a "setback."

Ms. Taylor discussed Shinal v. Toms, the Pennsylvania Supreme Court decision on informed consent involving physicians and physician assistants and its implications on nurse anesthetists and nurse practitioners.]

[Mary Marshall, Director, Workforce & Professional Services, Hospital & Healthsystem Association of Pennsylvania, thanked Commissioner Harlow for working with HAP to assist with the utilization of the PALS system.

Ms. Marshall stated HAP supports House Bill 100 but opposes House Bill 789.]

Regulation Update – Regulations Status Summary
[Judith Pachter Schulder, Esquire, Board Counsel, noted no recent changes to the status of regulations.]

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Legislation Update--continued

[Ms. Pachter Schulder referred to House Bill 1774 relating to the storage and training at the Department of Health for the use of naloxone in high schools, House Bill 1805 relating to the certification for a surgical technologist, Senate Bill 886, which is similar to House Bill 1774, and Senate Bill 895, which is the amendment for physician assistants.]

 Ms. Pachter Schulder also referred Board members to the first package of the "Healthy PA" bills regarding the extension of the Affordable Care Act.]

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Legislative Updates from National Council of State Boards of Nursing (NCSBN)

[Chairperson Kmetz referred Board members to the information provided in the agenda from National Council.]

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Report of Board Chairperson – No Report

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Report of Committees

Probable Cause
[Suzanne Hendricks, BSBH, RN, LPN, reported the
Probable Cause Committee moved on the following items:
17 Petitions for Appropriate Relief, 59 Petitions for
Mental and Physical Examination, and 2 Petitions for
Immediate Temporary Suspension.]

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Application Review
[Ann Michele Coughlin, MBA, MSN, RN, Vice Chair,
stated the Application Review Committee met and
reviewed applications.]

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RN/PN Practice, Education, & Regulation – No Report

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Dietitian-Nutritionist
[Kessey J. Kieselhorst, MPA, RD, LDN, CPHQ, announced
that the Academy of Nutrition and Dietetics celebrated
its 100th Anniversary.]

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IT & Communication Issues
[Suzanne Hendricks, BSBH, RN, LPN, discussed issues
related to the eAgenda.]

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Report of Board Members Who Attended a Meeting on
Behalf of the Board
[Chairperson Kmetz reported on the NCSBN meeting of
the Standards Development Committee on September 25
and September 26, 2017, in Chicago, wherein the
Committee discussed exemptions from licensure, including a state of emergency or if a disaster is declared.

Ms. Kmetz stated the Committee is reviewing standards for alternative programs for monitoring nurses with substance abuse disorders as well as a standard for state-to-state agreements for endorsements for a nurse in a monitoring program in another state.

Also being reviewed is primary source verification of licensure, renewal questions related to criminal convictions or disciplinary actions by Boards, and national nursing accreditation for nursing programs. She mentioned three major accrediting agencies, including the newly-created NLN, ACEN and CCNE, being reviewed by the stakeholders.

Chairperson Kmetz reviewed her work on the standards for nursing education programs.]

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Report of Executive Secretary

[Laurette Keiser, MSN, RN, Executive Secretary, noted Tuesday, October 31, 2017 as the renewal expiration date. She referred Board members to the agenda for
information on the NCSBN website regarding an opioid toolkit.]

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For the Board’s Information

[Chairperson Kmetz noted agenda items concerning Registered Nurse First Assistant and NCSBN’s Proposed Rules on the Use of Simulation were tabled due to Dr. O'Donnell's absence.]

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[Sue Petula, Ph.D., MSN, RN, NEA-BC, FRE, Nursing Education Advisor, referred the Board to the 2017 NCSBN NCLEX Conference Summary and Conference Presentations and Videos.]

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[Wendy Miller, MSN, RN, Nursing Practice Advisor, referred the Board to the Member Board Data Regarding Criminal Background Checks as an extension of last meeting’s discussions about background checks.]

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[Judith Pachter Schulder, Esquire, Board Counsel, referred the Board to documentation about the Supply and Demand of the Nursing Workforce as an extension of the discussion from the last meeting.]

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[Dr. Petula reported the annual results of the NCLEX}
examinations are being compiled and reviewed but stated both the RN and PN Programs improved over last year’s scores. She will provide a report at the next meeting. Dr. Petula mentioned the RN Programs improved close to 4 percentage points, which is above 91 percent, and both the RN programs and PN programs are above the U.S. national average.

In terms of releasing the data to the programs in light of the Board’s December meeting date, Ms. Pachter Schulder provided the following three options regarding Dr. Petula’s report: (1) Release the information to Board members a few days in advance of the website posting followed by a discussion at the December meeting; (2) Release all of the information after the Board's discussion at its December meeting; and (3) Release the data to the programs as soon as it is completed. Board members favored option three.

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[The Board recessed from 10:41 a.m. until 10:51 a.m.]

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Appointment

Jefferson University Department of Nursing – Request for Extension of Interim Program Director

[Ann Phalen, PhD, CRNP, NNP-BC, Interim Dean & Associate Professor, Thomas Jefferson University,
Jefferson College of Nursing and Mark L. Tykocinski, MD, Provost and Executive Vice President for Academic Affairs, Thomas Jefferson University, introduced themselves to the Board. Ann Michele Coughlin, MBA, MSN, RN, Vice Chair, recused herself from the discussion.

Dr. Tykocinski discussed the letter to the Board regarding the extension of Dr. Phalen's term beyond the 12-month period due to a longer than anticipated search for the administrator position. Dr. Tykocinski provided a history of the search committee and noted the appointment of the search firm of Heidrick & Struggles to create a position specification. He reported two of seven individuals recommended by the committee were invited to two days of interviews but neither were found to be the right fit for the position.

Dr. Tykocinski noted the merger of Thomas Jefferson University with Philadelphia University. The position description was then updated to reflect the new status. He stated two interviews are scheduled for early November. Dr. Tykocinski indicated the October letter was submitted due to the concern that a new dean might not be in place by January 1, 2018; and, therefore, the request for the
Miscellaneous
Administration of Buprenorphine by CRNPs

[Judith Pachter Schulder, Esquire, Board Counsel, noted the Board’s position, posted on its website, with regard to the prescription of Suboxone by CRNPs. She advised the Board cannot provide any advisory opinions but referred to Section 21.284(d)(2) of the regulations which states that if it is part of the collaborative agreement that CRNPs with prescriptive authority can prescribe Schedule III controlled substances for a 90-day period.

Ms. Pachter-Schulder stated the Board received a letter from the American Society of Addiction Medicine and the American Association of Nurse Practitioners who inquired if there was a way to ensure that CRNPs and physician assistants are permitted to prescribe buprenorphine if the licensee has a waiver. It was noted the Commissioner would write a letter on behalf of both Boards. She will refer the Commissioner to the Board’s website posting.]

[Pursuant to Section 708(a)(5) of the Sunshine Act, the Board entered into Executive Session with Judith]
Pachter Schulder, Esquire; Megan E. Castor, Esquire; Carole Clarke Smith, Esquire; and Ariel O’Malley, Esquire, at 11:02 a.m. for the purpose of conducting quasi-judicial deliberations on matters that are pending before the Board. The Board returned to open session at 12:29 p.m.]

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MOTIONS

MS. PACHTER SCHULDER:

During Executive Session, the Board engaged in quasi-judicial deliberations on the matters under the Report of the Prosecutorial Division, Report of Board Counsel and applications. The Board members will be identified in the individual matters where they recused themselves.

MS. HENDRICKS:
So moved.

MS. COUGHLIN:
Second.

CHAIRPERSON KMETZ:
All in favor?  Opposed?  Abstentions?
[The motion carried unanimously.]

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MS. PACHTER SCHULDER:
MR. OWEN:

So moved.

MS. HENDRICKS:

Second.

CHAIRPERSON KMETZ:

All in favor? Opposed? Abstentions?

[The motion carried unanimously.

The Respondent’s name for File No. 16-51-02054 is Judith Gory, RN. The Respondent’s name for File No. 17-51-08944 is Jamie McCluskey, RN. The Respondent’s name for File No. 17-51-00626 is Sharon L. Pletcher, RN. The Respondent’s name for File No. 14-51-02547 is Stacey Geller-Distler, RN. The Respondent’s name for File No. 15-51-02548 is Susan Davies Hurst, RN. The Respondent’s name for File No. 15-51-06870 is Sunnie Lynn McConnell, RN. The Respondent’s name for File
No. 15-51-09812 is Rondell Ann Gordon, LPN. The Respondent’s name for File No. 16-51-12827 is Wilbur Kramer Cuddy, RN. The Respondent’s name for File No. 17-51-06596 is Myra Jo Easter, RN. The Respondent’s name for File No. 17-51-07245 is Shaunna Lee Benjamin, RN. The Respondent’s name for File No. 15-51-08040 is Amy N. King, RN, CRNP. The Respondent’s name for File No. 16-51-08273 is Tammie Jo Hooks, LPN. The Respondent’s name for File No. 16-51-14985 is Kenisha Ishawna Thomas, RN. The Respondent’s name for File No. 17-51-06602 is Charles Albert Henderson, RN. The Respondent’s name for File No. 17-51-07344 is Nancy Rafferty Tennie, RN. The Respondent’s name for File No. 16-51-09882 is Michele L. Bialy, RN. The Respondent’s name for File No. 16-51-12277 is Jennifer Schaeffer, RN. The Respondent’s name for File No. 16-51-12971 is Lisa Gailliot, RN. The Respondent’s name for File No. 15-51-13443 is Jennifer Hull (formerly Mendenhall), LPN. The Respondent’s name for File No. 17-51-04737 is Kathleen A. Byrne, RN. The Respondent’s name for File No. 17-51-06598 is Stefanie Jo Proctor, RN. The Respondent’s name for File No. 17-51-09349 is Amanda J. Wiegand, RN. The Respondent’s name for File No. 16-51-12153 is Deidra R. Penrose, RN. The Respondent’s name for File No.
17-51-07348 is Cynthia L. Warriner, CRNP. The Respondent’s name for File No. 15-51-08053 is Regina Ruth Doerr, RN. The Respondent’s name for File No. 16-51-08695 is Stephen Alfred Hilbert, RN.

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MS. PACHTER SCHULDER:

Is there a motion to approve the following Consent Agreements, for which members Hendricks, Kerns, and Luchs are recused: File No. 16-51-12602, File No. 17-51-00004, File No. 17-51-02369, 17-51-05088, File Nos. 17-51-01694 and 15-51-06745, File No. 16-51-12475, File No. 17-51-06727?

MR. OWEN:

So moved.

MS. COUGHLIN:

Second.

CHAIRPERSON KMETZ:

All those in favor? Opposed? Abstentions?

[The motion carried. Suzanne Hendricks, Linda A. Kerns, and Sherri Luchs recused from deliberations and voting on the motion.

The Respondent’s name for File No. 16-51-12602 is
Tamika Harris, LPN. The Respondent’s name for File No. 17-51-00004 is Donte’ Donnard-William Thomas, LPN. The Respondent’s name for File No. 17-51-02369 is Carly Cropper Hampton, RN. The Respondent’s name for File No. 17-51-05088 is Elizabeth Lee Miller, RN. The Respondent’s name for File Nos. 17-51-01694 & 15-51-06745 is Tiffanie L. Bartlett, LPN. The Respondent’s name for File No. 16-51-12475 is Shatoina Antoinette Miller, RN. The Respondent’s name for File No. 17-51-06727 is Tara Leslie Williams, RN.]

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MS. PACTER SCHULDER:

Is there a motion to approve the following Consent Agreement, for which members Coughlin, Hendricks, and Kerns are recused: File No. 16-51-11805?

MR. OWEN:

So moved.

MS. LUCHS:

Second.

CHAIRPERSON KMETZ:

All those in favor? Opposed?

Abstentions?

[The motion carried. Ann Michele Coughlin, Suzanne Hendricks and Linda A. Kerns recused from
deliberations and voting on the motion.

The Respondent’s name is Jeana M. Wernecke, LPN.]

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MS. PACTHER SCHULDER:

Is there a motion to accept the Consent Agreement in Item 64, File No. 16-51-09220, for which members Ames and Coughlin are recused?

MS. HENDRICKS:

So moved.

MR. OWEN:

Second.

CHAIRPERSON KMETZ:

All those in favor? Opposed?

Abstentions?

[The motion carried. Ann Michele Coughlin recused from deliberations and voting on the motion.

The Respondent’s name is Jennifer Cray Luscavage, RN.]

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MS. PACTHER SCHULDER:

Is there a motion to approve Consent Agreement 36, which is File No. 17-51-01480, for which members Ames and Hendricks are recused?
MS. COUGHLIN:

    So moved.

MR. OWEN:

    Second.

CHAIRPERSON KMETZ:

    All those in favor?  Opposed?
    Abstentions?

[The motion carried.  Suzanne Hendricks recused from deliberations and voting on the motion.

    The Respondent’s name is Val Raymond Cantagallo, RN.]

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MS. PACHTER SCHULDER:

    Is there a motion to accept the Consent Agreement in File No. 16-51-08271, for which members Ames, Coughlin, and Hendricks are recused?

MR. OWEN:

    So moved.

MS. MALADY:

    Second.

CHAIRPERSON KMETZ:

    All those in favor?  Opposed?
    Abstentions?

[The motion carried.  Ann Michele Coughlin and Suzanne
Hendricks recused from deliberations and voting on the motion.

The Respondent’s name is Rhea M. Holloman, LPN.

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MS. PARCHER SCHULDER:

Is there a motion to reject, as too lenient, the following Consent Agreements: File No. 16-51-11039, File No. 16-51-12150, File No. 16-51-06547, and File No. 16-51-08531?

MS. HENDRICKS:

So moved.

MR. OWEN:

Second.

CHAIRPERSON KMETZ:

All those in favor? Opposed? Abstentions?

[The motion carried unanimously.]

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[Item No. 38, File Nos. 16-51-04606 & 17-51-02465, was withdrawn.]

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Matters for Deliberation

MS. PARCHER SCHULDER:

Is there a motion to grant the motion of
Julie Arment, RN, and issue a Memorandum Order? That’s File No. 17-51-04473.

MS. HENDRICKS:
So moved.

MR. OWEN:
Second.

CHAIRPERSON KMETZ:
All those in favor? Opposed?
Abstentions?
[The motion carried unanimously.]

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MS. PACHTER SCHULDER:
Is there a Motion to Lift the Probationary Term of Willie R. Magnum, RN, File No. 17-51-10479, subject to his proof of fitness to practice?

MS. HENDRICKS:
So moved.

MS. COUGHLIN:
Second.

CHAIRPERSON KMETZ:
All those in favor? Opposed?
Abstentions?
[The motion carried unanimously.]

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MS. PACHTER SCHULDER:

Is there a Motion to Vacate the Final Order and provide Lisa M. McKnight, RN, 30 days to either file an Answer or enter into a Consent Agreement? That’s File No. 17-51-05667, for which members Hendricks, Luchs, and Kerns are recused.

MR. OWEN:

So moved.

MS. HERTZLER:

Second.

CHAIRPERSON KMETZ:

All those in favor? Opposed?

Abstentions?

[The motion carried. Suzanne Hendricks, Sherri Luchs, and Linda A. Kerns recused from deliberations and voting on the motion.]

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MS. PACHTER SCHULDER:

Is there a motion to authorize Counsel to prepare an Adjudication and Order in the Matter of Maxine Marinkov Hill, LPN, and Patricia Mapes Madey, LPN? That’s File Nos. 15-51-10729 and 15-51-10730.

MS. HENDRICKS:
So moved.

MR. OWEN:

Second.

CHAIRPERSON KMETZ:

All those in favor? Opposed?

Abstentions?

[The motion carried unanimously.]

***

MS. PACHTER SCHULDER:

Is there a Motion to Enter Default and Deem Facts Admitted and authorize Counsel to prepare Adjudications and Orders in the Matters of Barbara Anders, RN, File No. 16-51-08556; Leilani Bonagua, RN, File No. 16-51-10462; Samuel Coleman, RN, 15-51-06716; Leslie Frazier, RN, File No. 17-51-05637; Shaun Gibson, LPN, File No. 15-51-00946; Erika Grant-Lopez, RN, File No. 14-51-07031; Tina Hadden, LPN, File No. 16-51-14141; Deshalatrece Harris, LPN, File No. 13-51-07121; Irene Igwacho, LPN, File No. 16-51-13230; Edward L. Jones, File No. 17-51-05067; Sanjay Patrick, LPN, File No. 15-51-07527; Matthew D. Mendelow,
RN, File No. 16-51-06439; Christina Marie Morrison, LPN, File No. 15-51-03919; Jared Lee Johnson, LPN, File No. 16-51-09628; Angel Pennington Parker, RN, File No. 12-51-05151; Deborah Ann Martinez, RN, File No. 16-51-06420; David R. Jones, RN, File No. 13-51-07970; Katherine Adler Sanders, RN, File No. 16-51-10416; Vanessa Vieau, LPN, File No. 16-51-12398; and Heidi Jane Walker, RN, File No. 15-51-06732?

MS. HENDRICKS:
So moved.

MR. OWEN:
Second.

CHAIRPERSON KMETZ:
All those in favor? Opposed?
Abstentions?

[The motion carried unanimously.]

***

[Linda A. Kerns, Esquire, Public Member, exited the meeting at 12:42 p.m.]

***

MS. PACTER SCHULDER:
Is there a Motion to Enter Default and
Deem Facts Admitted and authorize Counsel to prepare an Adjudication and Order in the Matter of Amber Brady, LPN, File No. 16-51-10171, for which members Ames, Coughlin, and Kerns are recused?

MS. HENDRICKS:
So moved.

MR. OWEN:
Second.

CHAIRPERSON KMETZ:
All those in favor? Opposed?
Abstentions?

[The motion carried. Ann Michele Coughlin and Linda A. Kerns recused from deliberations on the motion. Ms. Coughlin also recused from voting on the motion.]

***

MS. PACTER SCHULDER:
Is there a Motion to Enter Default and Deem Facts Admitted and authorize Counsel to prepare an Adjudication and Order in the Matter of Lisa Elia, RN, File No. 16-51-07086, for which members Ames and Coughlin are recused?

MS. HENDRICKS:
So moved.

MS. HERTZLER:

Second.

CHAIRPERSON KMETZ:

All those in favor? Opposed?

Abstentions?

[The motion carried. Ann Michele Coughlin recused from deliberations and voting on the motion.]

***

MS. PACHTER SCHULDER:

Is there a Motion to Enter Default and Deem Facts Admitted and authorize Counsel to prepare an Adjudication and Order in the Matter of Jared Lee Johnson, LPN, File No. 14-51-10594, for which member Ames is recused?

MS. HENDRICKS:

So moved.

MR. OWEN:

Second.

CHAIRPERSON KMETZ:

All those in favor? Opposed?

Abstentions?

[The motion carried unanimously.]

***
MS. PACHTER SCHULDER:

Is there a Motion to Enter Default and Deem Facts Admitted and authorize Counsel to prepare an Adjudication and Order in the Matter of Justin Ryan Taylor, LPN, File No. 16-51-03884, for which members Ames, Coughlin, and Hendricks are recused?

MR. OWEN:

So moved.

MS. LUCHS:

Second.

CHAIRPERSON KMETZ:

All those in favor?  Opposed?

Abstentions?

[The motion carried.  Suzanne Hendricks and Ann Michele Coughlin recused from deliberations and voting on the motion.]

***

MS. PACHTER SCHULDER:

Is there a Motion to Enter Default and Deem Facts Admitted and authorize Counsel to prepare an Adjudication and Order in the Matter of Marisha Dawn Winiarczyn, File No. 17-51-00785, for
which member Malady is recused?

MR. OWEN:

So moved.

MS. HENDRICKS:

Second.

CHAIRPERSON KMETZ:

All those in favor? Opposed?

Abstentions?

[The motion carried. Kristin Malady recused from deliberations and voting on the motion.]

***

[Item No. 84, File No. 16-51-12971, was withdrawn.]

***

MS. PACHTER SCHULDER:

Is there a Motion to Adopt the Hearing Examiner Proposals for Amanda Catarouche, LPN, File No. 16-51-10045; Denise Anne Wilkins Starner, RN, File No. 17-51-03335; Leeann Tyler, LPN, File No. 17-51-03923; Lori Weikel Varney, LPN, File No. 16-51-02003; Sue A. Ward, LPN, File No. 17-51-02659; and Joy A. Whitcomb, RN, File No. 15-51-03054?

MS. HENDRICKS:

So moved.
MR. OWEN:
Second.

CHAIRPERSON KMETZ:
All those in favor? Opposed?
Abstentions?
[The motion carried unanimously.]

***

MS. PACTER SCHULDER:
Is there a Motion to Adopt the Hearing Examiner’s Proposal in the Matter of Susan Barzano, RN, File No. 16-51-13433, for which members Hendricks, Kerns, and Luchs are recused?

MR. OWEN:
So moved.

MS. HERTZLER:
Second.

CHAIRPERSON KMETZ:
All those in favor? Opposed?
Abstentions?
[The motion carried. Suzanne Hendricks, Linda A. Kerns and Sherri Luchs recused from deliberations on the motion. Ms. Hendricks and Ms. Luchs also recused from voting on the motion.]

***
MS. PACHTER SCHULDER:

Is there a Motion to Authorize Counsel to Prepare Adjudications and Orders in the Matters of Lacey Goss, LPN, File No. 15-51-13349 and Alison Grutza, LPN, File No. 15-51-05117?

MS. HENDRICKS:

So moved.

MR. OWEN:

Second.

CHAIRPERSON KMETZ:

All those in favor? Opposed? Abstentions?

[The motion carried unanimously.]

***

MS. PACHTER SCHULDER:

Is there a Motion to Adopt the Hearing Examiner’s Proposal in the Matter of Andrew Geoffrey Szoke, RN, File No. 16-51-00522, for which members Ames, Coughlin and Hendricks are recused?

MR. OWEN:

So moved.

MS. LUCHS:

Second.
CHAIRPERSON KMETZ:

All those in favor? Opposed?

Abstentions?

[The motion carried. Ann Michele Coughlin and Suzanne Hendricks recused from deliberations and voting on the motion.]

***

MS. PACTHER SCHULDER:

Is there a Motion to Adopt the Hearing Examiner’s Proposal for Item No. 109, Darlene Mabin, RN, File No. 14-51-03294, for which members Hendricks, Kmetz and Ames are recused so the Chair is assumed by Ms. Coughlin.

VICE CHAIRPERSON COUGHLIN ASSUMED THE CHAIR

MR. OWEN:

So moved.

MS. HERTZLER:

Second.

VICE CHAIR COUGHLIN:

All those in favor? Opposed?

Abstentions?

[The motion carried. Suzanne Hendricks and Linda L. Kmetz recused from deliberations and voting on the motion.]
CHAIRPERSON KMETZ RESUMED THE CHAIR

***

MS. PACHTER SCHULDER:

Is there a Motion to Authorize Counsel to Prepare an Adjudication and Order in the Matter of Tian Nikeisha (Larode) Henderson, LPN, File No. 15-51-12153?

MS. HENDRICKS:

So moved.

MR. OWEN:

Second.

CHAIRPERSON KMETZ:

All those in favor? Opposed?

Abstentions?

[The motion carried unanimously.]

***

MS. PACHTER SCHULDER:

Is there a Motion to Adopt the Draft Adjudications and Orders for Christopher Aaron, LPN, File No. 14-51-06483; William Bowers III, RN, File No. 14-51-11559; Beth Dearmitt, RN, File No. 11-51-02973; George Dunn, LPN, File No. 14-51-09867; Carrie Ann Mancheria, RN, File No. 16-51-00512; Pamela McCloskey
Martinez, RN, File No. 14-51-02482;
Bethany Jean Pavcik, RN, aka Nethany Jean Byer, File No. 16-51-05936;
Stephanie Jo Ann Kern, RN, File No. 16-51-06713; Alexander McEnery Knipper, RN,
File No. 16-51-12926; Adebayo Omotayd Onigbinde, RN, File No. 14-51-02485;
14-51-08105; Wanda Ivelizze Torres, LPN, File No. 14-51-06361; Sharron Crystal Williams, LPN, File No. 13-51-08815; and
William Joseph Detterline, LPN, File No.
14-51-08573?

MS. HENDRICKS:
    So moved.

MR. OWEN:
    Second.

CHAIRPERSON KMETZ:
    All those in favor? Opposed?
    Abstentions?

[The motion carried unanimously.]

***

MS. PACHTER SCHULDER:
    Is there a Motion to Adopt the Draft
Adjudications and Orders in the Matters of Donna Angelucci, RN, File No. 14-51-10983; Dean Carroll, LPN, File No. 14-51-13359; and Sandra L. Mayer, RN, File No. 15-51-07426, for which members Ames and Hendricks are recused?

MR. OWEN:

So moved.

MS. COUGHLIN:

Second.

CHAIRPERSON KMETZ:

All those in favor? Opposed?

Abstentions?

[The motion carried. Suzanne Hendricks recused from deliberations and voting on the motion.]

***

MS. PACTHER SCHULDER:

Is there a Motion to Adopt the Draft Adjudication and Order for Johanna Ashcom, RN, File No. 13-51-11200, for which members Ames, Hendricks and Kmetz are recused, so the Chair again switches to Ms. Coughlin?

VICE CHAIRPERSON COUGHLIN ASSUMED THE CHAIR

MR. OWEN:
So moved.

MS. HERTZLER:

Second.

VICE CHAIR COUGHLIN:

All those in favor? Opposed?

Abstentions?

[The motion carried. Suzanne Hendricks and Linda L. Kmetz recused from deliberations and voting on the motion.]

***

MS. PACHTER SCHULDER:

Is there a Motion to Adopt the Draft Adjudication and Order in the Matter of Mary Swain Oliver, LPN, File No. 14-51-10086, for which members Ames, Hendricks and Kmetz are recused?

MR. OWEN:

So moved.

MS. HERTZLER:

Second.

VICE CHAIR COUGHLIN:

All those in favor? Opposed?

Abstentions?

[The motion carried. Suzanne Hendricks and Linda L. Kmetz recused from deliberations and voting on the
CHAIRPERSON KMETZ RESUMED THE CHAIR

***

MS. PACTER SCHULDER:

Is there a Motion to Adopt the Adjudication and Order for Morgan Nicole Natale, LPN, File No. 16-51-08706, for which members Ames, Coughlin and Kerns are recused?

MS. COUGHLIN:

So moved.

MR. OWEN:

Second.

CHAIRPERSON KMETZ:

All those in favor? Opposed?

Abstentions?

[The motion carried. Ann Michele Coughlin and Linda A. Kerns recused from deliberations on the motion. Ms. Coughlin also recused from voting on the motion.]

***

MS. PACTER SCHULDER:

Is there a Motion to Adopt the Draft Adjudications and Orders for Jennifer Alexandria Mesa, LPN, File No. 16-51-
08363, and Susan E. Reiger, RN, File No. 14-51-09637, for which members Coughlin, Hendricks and Kerns are recused?

MR. OWEN:

So moved.

MS. HERTZLER:

Second.

CHAIRPERSON KMETZ:

All those in favor? Opposed?

Abstentions?

[The motion carried. Ann Michele Coughlin, Suzanne Hendricks and Linda A. Kerns recused from deliberations on the motion. Ms. Coughlin also recused from voting on the motion.]

***

MS. PACHTER SCHULDER:

Is there a Motion to Adopt the Draft Adjudications and Orders for Michelle Lizette Miranda, LPN, File No. 16-51-03777; Gwendolyn Marie Johnson, LPN, File No. 16-51-05175; and Paul Morgana, RN, File No. 16-51-06224, for which members Ames, Coughlin and Hendricks are recused?

MS. LUCHS:
So moved.

MR. OWEN:
Second.

CHAIRPERSON KMETZ:
All those in favor?  Opposed?
Abstentions?

[The motion carried.  Ann Michele Coughlin and Suzanne Hendricks recused from deliberations and voting on the motion.]

***

MS. PACTHER SCHULDER:
Is there a Motion to Adopt the Draft Adjudication and Order for Noreen Burns Shanahan, RN, File No. 15-51-11421, for which member Hendricks is recused?

MS. COUGHLIN:
So moved.

MS. HERTZLER:
Second.

CHAIRPERSON KMETZ:
All those in favor?  Opposed?
Abstentions?

[The motion carried.  Suzanne Hendricks recused from deliberations and voting on the motion.]

***
MS. PACHTER SCHULDER:

Is there a Motion to Adopt the Draft Adjudication and Order for Capri Fox Spier, LPN, File No. 14-51-10436, for which members Hendricks and Kmetz are recused?

VICE CHAIRPERSON COUGHLIN ASSUMED THE CHAIR

MS. MALADY:

So moved.

MS. HERTZLER:

Second.

VICE CHAIR COUGHLIN:

All those in favor? Opposed?

Abstentions?

[The motion carried. Suzanne Hendricks and Linda L. Kmetz recused from deliberations and voting on the motion.]

CHAIRPERSON KMETZ RESUMED THE CHAIR

***

MS. PACHTER SCHULDER:

Is there a Motion to Grant Jefferson University’s request that Dr. Ann Phalen serve as Interim Director until September 2018 for which member Coughlin recused?
MS. HENDRICKS:
So moved.

MS. MALADY:
Second.

CHAIRPERSON KMETZ:
All those in favor? Opposed?
Abstentions?

[The motion carried. Ann Michele Coughlin recused from voting on the motion.]

***

[Pursuant to Section 708(a)(5) of the Sunshine Act, the Board entered into Executive Session with Judith Pachter Schulder, Esquire; Megan E. Castor, Esquire; Carole Clarke Smith, Esquire; and Ariel O’Malley, Esquire, at 12:51 p.m. for the purpose of conducting quasi-judicial deliberations on Jenifer L. Swihart, LPN, File No. 13-51-08285. The Board returned to open session at 12:55 p.m.]

***

MS. PACHTER SCHULDER:
During Executive Session, the Board deliberated further on the Draft Adjudication and Order for Jenifer L. Swihart, LPN, File No. 13-51-08285.
Is there a Motion to Adopt that
Draft Adjudication and Order?

MS. HENDRICKS:
So moved.

MS. COUGHLIN:
Second.

CHAIRPERSON KMETZ:
All those in favor? Opposed?
Abstentions?

[The motion carried unanimously.]

***

MS. HENDRICKS:
Madam Chair, the IT Committee would like
to make a motion to ask the Commissioner
to replace or update the current
microphone system.

MR. OWEN:
Second.

CHAIRPERSON KMETZ:
All those in favor? Opposed?
Abstentions?

[The motion carried unanimously.]

***

[Chairperson Kmetz announced that she had nominated
Dr. O’Donnell for Pittsburgh Magazine's “Pittsburgh
Best Nurses” for the category of Academia. She]
further announced that Dr. O'Donnell will be honored at a ceremony on November 30, 2017.

***

Adjournment

CHAIRPERSON KMETZ:

Motion for adjournment.

MR. OWEN:

So moved.

MS. HENDRICKS:

Second.

CHAIRPERSON KMETZ:

All in favor? Opposed? Abstentions?

[The motion carried unanimously.]

***

[There being no further business, the State Board of Nursing Meeting adjourned at 12:56 p.m.]

***
CERTIFICATE

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

Adam Beck,
Minute Clerk
Sargents’s Court Reporting Service, Inc.
STATE BOARD OF NURSING
REFERENCE INDEX
October 27, 2017

TIME AGENDA

9:21 Official Call to Order
9:21 Roll Call
9:24 Adoption of Agenda
9:26 Adoption of Minutes
9:28 Report of Prosecutorial Division
9:34 Report of Commissioner
9:47 Report of Prosecutorial Division (cont.)
9:50 Appointment - Pennsylvania Association of Practical Nursing Administrators Presentation
10:02 Legislative Update
10:13 Regulation Update
10:15 Report of Committees
10:19 Report of Board Members Who Attended a Meeting on Behalf of the Board
10:22 Report of Executive Secretary
10:24 For the Board’s Information
10:41 Recess
10:51 Return to Open Session
10:52 Appointment - Jefferson University Department of Nursing Request for Extension of Interim Dean
11:00 Miscellaneous
11:02 Executive Session
12:29 Return to Open Session
12:29 Motions
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