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

F I N A L M I N U T E S

MEETING OF:

**STATE BOARD OF NURSING
VIA VIDEOCONFERENCE**

TIME: 9:01 A.M.

March 22, 2022

State Board of Nursing
March 22, 2022

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BOARD MEMBERS:

- Linda L. Kmetz, PhD, RN, Chair
- Arion R. Claggett, Acting Commissioner, Bureau of Professional and Occupational Affairs
- Ann Michele Coughlin, DNP, MBA, RN, Vice Chair
- Sue E. Hertzler, LPN
- Linda A. Kerns, Esquire, Public Member - Absent
- Kessey J. Kieselhorst, MPA, RD, LDN, CPHQ
- Sherri Luchs, RN
- Kristin Malady, BSN, RN
- Bridget E. Vincent, MSN, CRNP, APN-BC, CCRN
- Colby P. Hunsberger, DNP, RN, CNEcl

COMMONWEALTH ATTORNEYS:

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

DEPARTMENT OF STATE AND BOARD STAFF:

- Wendy Miller, MSN, RN, Executive Secretary
- Cynthia K. Miller, Board Administrator
- Kelly Hoffman, MSN, RN, Nursing Education Advisor
- Susan Bolig, MSN, RN, Nursing Practice Advisor
- Sue Petula, PhD, MSN, RN, NEA-BC, FRE, Nursing Education Advisor Annuitant
- Peggy Witmer, MSN, RN-BC, MPA, Nursing Practice Advisor Annuitant

State Board of Nursing
March 22, 2022

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DEPARTMENT OF STATE AND BOARD STAFF (Cont.)

Marc Farrell, Deputy Director, Office of Policy,
Department of State
Amanda Richards, Chief, Fiscal Management, Bureau of
Finance and Operations, Department of State

ALSO PRESENT:

Beth Ann Puckett, MSN, RN, GERO-BC, Chester County
Intermediate Unit Practical Nursing Program
Debbie Dell, Practical Nursing Program Director, Great
Lakes Institute of Technology
Janyce Collier, MBA, MSN, RN, CNE, Nurse Administrator
and Financial Aid Administrator, Franklin County
Practical Nursing Program/Pennsylvania Association
of Practical Nursing Administrators
Jen Smeltz, Republican Executive Director, Senate
Consumer Protection & Professional Licensure
Committee
Joann Megon, BSN, RN, Executive Director, PNAP
Judy Williams, CRNP, Lehigh Valley Health Network
Kassidy Lax, RN, Program Director, Falcon Institute-PN
Program
Kathleen Rundquist, MSN, RN, Nurse Administrator and
Financial Aid Administrator, Franklin County
Practical Nursing Program
Katrina Claghorn, MS, RD, LDN, Pennsylvania Academy of
Nutrition & Dietetics
Lindsay Jones, RN, MSN, Assistant Director of
Practical Nursing, Lancaster County Career
& Technology Center
Marcia Landman, MSN-FNP, BSN, RN, Practical Nursing
Assistant Director, United Career Institute
Michelle Davis, RN, MSN, Director of Nursing, Lincoln
Technical Institute - Allentown
Nisha Patel, MD
Nicole Sidle, Majority Committee Executive Director,
House Professional Licensure Committee
Pam Hughes, Practical Nursing Director, United Career
Institute
Wesley J. Rish, Esquire, Rish Law Office, LLC
Charles Hartwell, Esquire, Dethlefs-Pykosh Law Group,
LLC
Steven Spahr, Esquire, Dethlefs-Pykosh Law Group, LLC

State Board of Nursing
March 22, 2022

ALSO PRESENT: (Cont.)

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7 David Buono, Deputy Insurance Commissioner, Office of
8 Market Regulation, Pennsylvania Department of
9 Insurance
10 Sandy Ykema, Esquire, JD, Senior Health Insurance
11 Counsel, Pennsylvania Department of Insurance
12 Caroline Boehm, Deputy Director of Legislative
13 Affairs, Pennsylvania Department of Insurance
14 Shahid Ahmed, PhD, President, PITC Institute
15 Alex Aduboahen, MSN, Practical Nursing Director,
16 PITC Institute
17 Suja Johnson, BSN, Practical Nursing Clinical
18 Director, PITC Institute
19 Michele Long, Compliance Officer, PITC Institute
20 Stuart J. Savin, EdD, Administrative Director,
21 Lancaster County Career & Technology Center
22 Theresa McCurry, RN, BSN, Licensed Practical Nursing
23 Program, Western Area Career & Technology Center
24 Peggy Pearl, Executive Director, Pennsylvania
25 Coalition of Nurse Practitioners
26 Marian Shenberger, Professional Development Assistant,
27 Pennsylvania State Nurses Association
28 Kelly Zimmerman, RN, Allegheny Health Network
29 Michelle Wallace, EdD, MSN, RN, Director of Nursing
30 Programs, Reading Area Community College
31 Stacia Visgarda, PhD, RN, MHSA, Associate Dean of
32 Health Profession Programs, Reading Area Community
33 College
34 Teresa Collins, Executive Director of District 1199C
35 Training & Upgrading Fund
36 Shona Murphy, MSN-Ed, RN, Director of
37 Practical Nursing Program, Health and Technology
38 Training Institute
39 Nicole Moore, MSN, RN, CNE, BSN Program Director,
40 Assistant Professor of Nursing, Mercyhurst
41 University
42 Candice Kiskadden, PhD, MSN, RN, CNE, CNOR, Department
43 Chair, Assistant Professor of Nursing, Mercyhurst
44 University
45 Michael Heller, CPA, Vice President for Finance and
46 Administration, Mercyhurst University
47 Dyan Jones, PhD, Dean, Zurn College of Natural and
48 Health Sciences, Associate Vice President for
49 Institutional Effectiveness, Associate Professor of
50 Physics, Mercyhurst University

State Board of Nursing
March 22, 2022

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ALSO PRESENT: (Cont.)

Joanne Hosey-McGurk, PhD, Vice President for Academic
Affairs, Mercyhurst University

William Pezzotti, DNP, RN, CRNP, AGACNP-BC, Adult-
Gerontology Acute Care Program Coordinator, Neumann
University

Theresa Pietsch, PhD, RN, CRRN, CNE, Associate
Professor and Dean, School of Nursing & Health
Sciences, Neumann University

Megan Doble, MSN, RN, CRNP, AGACNP-BC, Adult-
Gerontology Acute Care CRNP Program Faculty, Neumann
University

Judith Neubauer, MSN, RN, CRNP, AGPCNP, Assistant
Professor & Program Director, Graduate Nursing
Program, Neumann University

Elizabeth Schlenk, PhD, RN, CNL, FAAN, Associate Dean
for Graduate Clinical Education, University of
Pittsburgh

Mohammed Abdel Fattah, MBA, Associate Budget Director

1 ***

2 State Board of Nursing

3 March 22, 2022

4 ***

5 The regularly scheduled meeting of the State
6 Board of Nursing was held by videoconference pursuant
7 to Act 73 of 2021 that extended the waiver of the
8 "physical presence" requirement in section 2.1(c) of
9 the Professional Nursing Law (63 P.S. § 212.1(c) on
10 September 30, 2021.

11 ***

12 [Judith Pachter Schulder, Esquire, Board Counsel,
13 noted the meeting was being recorded and those who
14 continued to participate were giving their consent to
15 be recorded.

16 Ms. Pachter Schuler also noted the meeting was
17 being held by videoconference pursuant to Act 73 of
18 2021 that extended the waiver of the "physical
19 presence" requirement in section 2.1(c) of the
20 Professional Nursing Law.]

21 ***

22 Linda L. Kmetz, PhD, RN, Chair, called the
23 meeting to order at 9:01 a.m.

24 ***

25 Introduction of Board Members

1 [Linda L. Kmetz, PhD, RN, Chair, asked Board members
2 to introduce themselves.

3 Chair Kmetz announced this was Sherri Luchs' last
4 meeting and thanked Ms. Luchs for her service to the
5 State Board of Nursing.

6 Chair Kmetz invited new Board member Colby
7 Hunsberger to introduce himself.

8 Dr. Hunsberger provided a brief summary of his
9 professional background.]

10 ***

11 Introduction of Board Counsel

12 [Carole Clarke Smith, Esquire, Senior Board Counsel,
13 introduced members of Board Counsel.]

14 ***

15 Introduction of Board Prosecution

16 [William A. Newport, Esquire, Senior Prosecution
17 Liaison, identified members of Prosecution.]

18 ***

19 Introduction of Board Staff

20 [Wendy Miller, MSN, RN, Executive Secretary,
21 introduced Board staff.]

22 ***

23 Introduction of Audience Members

24 [Cynthia K. Miller, Board Administrator, introduced
25 audience members.]

1 Chair Kmetz requested everyone in the gallery
2 email Cindy Miller with their name and affiliation.]

3 ***

4 Adoption of the Agenda

5 CHAIR KMETZ:

6 I would like to have a motion to adopt
7 today's agenda.

8 Is there anything withdrawn or any
9 additions or corrections?

10 May I have a motion for adoption of
11 today's agenda, please?

12 DR. COUGHLIN:

13 So moved.

14 MS. MALADY:

15 Second.

16 CHAIR KMETZ:

17 All those in favor? Opposed?

18 Abstentions?

19 [The motion carried unanimously.]

20 ***

21 Report of Prosecutorial Division

22 [Chair Kmetz noted VRP Consent Agreement items 2
23 through 15 and item 101.]

24 ***

25 [Chair Kmetz noted Ms. Bellfy's items 16 through 18.]

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[Chair Kmetz noted Ms. Boyd's items 19 through 24.]

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[Chair Kmetz noted Ms. Evancho's items 25 through 30.]

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[Chair Kmetz noted Mr. Hales' items 31, 32, 103, and

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104.]

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[Chair Kmetz noted Mr. Schertz's items 33 through 35.]

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[Chair Kmetz noted Mr. Sniscak's item 36.]

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[Chair Kmetz noted Ms. Szymanski's items 37, 38, and

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102.]

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[Chair Kmetz noted Ms. Tucker's items 39 through 41.

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Ms. Tucker informed Board members that item 40

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was removed for the Board's consideration at this

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time.]

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[Board member Sue Hertzler experienced technical

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difficulties.]

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[Megan E. Castor, Esquire, Board Counsel, on behalf of

25

Ms. Hertzler, asked why there were so few failure to

1 report charges compared to the general pattern and
2 whether Board Prosecution was working differently.

3 Mr. Newport stated Prosecution was still charging
4 failure to report in an Order to Show Cause whether it
5 was a disciplinary action in another state or criminal
6 convictions. He explained failure to report charges
7 may not be seen in consent agreements in some cases
8 because it is used as a negotiation tool. He noted a
9 penalty of \$500 for failure to report and a civil
10 penalty of \$1,000 for lying.]

11 ***

12 Appointment - Pennsylvania Insurance Department - No
13 Surprises Act

14 [David Buono, Deputy Insurance Commissioner, Office of
15 Market Regulation, Pennsylvania Insurance Department,
16 informed the Board that the material presented was
17 prepared by the Commonwealth of Pennsylvania Insurance
18 Department based on the law, regulations, and guidance
19 as of December 1, 2021.

20 Mr. Buono addressed the No Surprises Act (NSA),
21 noting that the disclosure requirement applies to all
22 health care providers, the provider directory
23 requirement applies to all healthcare providers in-
24 network for major medical insurance policies, and the
25 Good Faith Estimate requirement applies to all health

1 care providers.

2 Mr. Buono commented that health plans covering
3 any benefits for emergency services, including air
4 ambulance, under the NSA, require emergency services
5 to be covered without any prior authorization
6 regardless of whether a provider or facility is in-
7 network.

8 Mr. Buono also commented that the NSA requires
9 patients with little or no control over who provides
10 their care to be protected when health plans cover any
11 benefits for nonemergency services related to a visit
12 in an in-network facility.

13 Mr. Buono stated that ancillary providers, such
14 as labs or doctors involved in a surgery that the
15 patient does not select, may not balance bill. He
16 noted cost-sharing for ancillary providers is treated
17 as in-network. He commented that the NSA protects
18 people from unexpected bills for emergency services,
19 air ambulance services, and certain nonemergency
20 services related to a visit to a facility. He
21 mentioned that emergency ground ambulance services are
22 not included and deferred to further study at the
23 federal level.

24 Mr. Buono stated NSA balance billing protection
25 applies if coverage is through an employer, state-

1 based marketplace Pennie, or directly through an
2 individual market health insurance company. He
3 mentioned that the Act does not apply to Medicare,
4 Medicaid, Indian Health Services, Veterans Affairs, or
5 TRICARE.

6 Mr. Buono addressed plans that do not have the
7 balance billing protection including indemnity or
8 accepted benefit plan enrollees because it is not
9 individual market coverage and does not typically have
10 a network. He noted short-term limited duration plan
11 enrollees, health care sharing ministries, the Amish,
12 or uninsured are not individual market coverage.

13 Mr. Buono addressed uninsured individuals, noting
14 providers are required to provide a Good Faith
15 Estimate upon request or scheduling an item or
16 service. He stated uninsured and self-pay patients
17 must receive a Good Faith Estimate at least 72 hours
18 before services.

19 Mr. Buono also noted that a Good Faith Estimate
20 must be given at least 3 hours ahead of time if a
21 service is scheduled within 3 days. He noted the Act
22 does require that a Good Faith Estimate be provided to
23 a patient's plan in advance of service but stated the
24 federal government and Pennsylvania are taking a non-
25 enforcement approach to this provision due to the

1 technological challenges affecting this provision.

2 Mr. Buono stated providers are encouraged to
3 coordinate with co-providers to present a single Good
4 Faith Estimate, but the Department of Health and Human
5 Services (HHS) is exercising enforcement discretion
6 and flexibility to allow for technological
7 coordination.

8 Mr. Buono provided a summary of providers who may
9 not balance bill. He stated providers and facilities
10 must have a business process to give provider
11 directory and network information to plans anytime
12 there is a material change. He commented that
13 providers and facilities may, by contract, impose on
14 plans the duty to keep the directory current in the
15 event of contract termination. He noted that the
16 provider or facility must reimburse the patient plus
17 interest if a provider or facility bills a patient
18 more than the in-network cost-sharing amount and the
19 patient pays the bill.

20 Mr. Buono addressed continuity of care, where a
21 contract with a plan terminates and the provider or
22 facility is no longer in-network and the patient is a
23 continuing care patient, the provider or facility must
24 accept payment, including cost-sharing calculated on
25 an in-network basis for the duration of the continuity

1 of care.

2 Mr. Buono stated providers with complaints about
3 a plan should contact the Pennsylvania Insurance
4 Department because the Department has a process to
5 quickly review the complaint. He mentioned HHS is
6 also establishing a complaint process with the
7 acknowledgement of the complaint possibly taking 60
8 days. He mentioned that providers with complaints
9 about a patient should first make sure the patient
10 understands the Act and are encouraged to contact the
11 Pennsylvania Insurance Department.

12 Mr. Buono noted that patients who do understand
13 the Act should be handled as before with the
14 understanding in the case of a surprise medical bill
15 that the provider may not collect more than the in-
16 network cost-sharing.

17 Sandy Ykema, Esquire, JD, Senior Health Insurance
18 Counsel, Pennsylvania Department of Insurance,
19 addressed disclosure requirements, noting a one-page
20 disclosure notice must be available to patients with
21 the requirements and prohibitions regarding balance
22 billing and must identify how a patient may contact
23 the appropriate state and federal agencies if the
24 patient believes the provider or facility has violated
25 the requirements of the law.

1 Ms. Ykema stated the information has to be
2 publicly available from the provider and facility as
3 well as being posted. She mentioned the Pennsylvania
4 Insurance Department has a model notice and
5 information on their website, along with the federal
6 government website at www.cms.gov/nosurprises
7 containing NSA information.

8 Ms. Ykema addressed notice and consent, which
9 allows a provider to balance bill if a notice and
10 written consent is received from the patient at least
11 3 days before the service, not later than 1 business
12 day after scheduling, or 3 business days in advance if
13 the service is scheduled 10 days in advance. She
14 noted it may not be used in an emergency situation.
15 She explained that the notice and consent have to be
16 on a separate form, signed, retained for 7 years, and
17 a copy given to the patient.

18 Ms. Ykema explained that the notice and consent
19 has to give notice that the provider does not
20 participate in the consumer's health insurance plan,
21 have a Good Faith Estimate amount that the provider
22 may charge for all of the services, explain that there
23 may need to be prior authorization or other approval,
24 and be clear that a person does not have to consent to
25 an out-of-network provider.

1 Ms. Ykema emphasized that a person has to be able
2 to get services from an available in-network provider,
3 but if there is no available in-network provider, then
4 notice and consent may not be used to allow the
5 provider to balance bill.

6 Ms. Ykema addressed payment, where the provider
7 will need to confirm the patient's coverage. She
8 explained that an out-of-network provider who
9 furnished a surprise medical service may collect cost-
10 sharing from the patient at the in-network level and
11 then the provider may bill the patient's plan directly
12 for all remaining charges.

13 Ms. Ykema noted a provider and plan may negotiate
14 if the provider is not satisfied with the amount
15 directly and then through a federally administered
16 Independent Dispute Resolution process.

17 Ms. Ykema addressed disputes with uninsured and
18 self-pay individuals, where the provider may bill the
19 patient. She stated the patient may access the
20 Patient-Provider Dispute Resolution process if there
21 is a difference in the Good Faith Estimate of at least
22 \$400. She noted that the patient must start the
23 process within 120 days and pay a small administrative
24 fee to start the process but will recoup that if the
25 patient prevails.

1 Ms. Ykema addressed enforcement, noting that the
2 Pennsylvania Insurance Department has been tasked with
3 coordinating implementation and enforcement with all
4 of the state agencies and facilities, including the
5 Department of State, Department of Health, and
6 Department of Drug and Alcohol Programs.

7 Ms. Ykema noted that the state law applies unless
8 it prevents the application of the federal law. She
9 mentioned the Pennsylvania Insurance Department has
10 laws to regulate insurers to deal with professional
11 conduct and licensure; and the Department of State,
12 Department of Health, and Drug and Alcohol Programs
13 will use both professional conduct and licensure laws.
14 She explained that state agencies that receive a call
15 related to balance billing and the NSA can go to the
16 Pennsylvania Insurance Department's website for
17 guidance.

18 Ms. Ykema stated complaints are assigned to a
19 consumer services representative after a complaint is
20 received for tracking to identify issues in
21 educational opportunities and enforcement needs. She
22 noted the consumer services representative works with
23 the patient, provider, or health plan and with other
24 state agencies and collaborates with the federal
25 agency if the issue cannot be addressed.

1 Ms. Ykema noted the Department of Health and
2 Human Services has oversight over the insurance plans,
3 providers, and facilities; the Department of Labor has
4 oversight over self-funded plans; and the Office of
5 Personnel Management has oversight over the Federal
6 Employees Health Benefits (FEHB) program. She stated
7 Pennsylvania Insurance Department is prepared to enter
8 into collaborative enforcement agreements with any of
9 those agencies as needed to address concerns.

10 Ms. Ykema encouraged everyone to visit the
11 Pennsylvania Insurance Department at
12 www.insurance.pa.gov/nosurprises for further
13 information.

14 Chair Kmetz commented that the NSA is good for
15 the citizens of the Commonwealth of Pennsylvania and
16 was impressed with the one-page disclosure.

17 Chair Kmetz thanked the Pennsylvania Insurance
18 Department for their presentation.]

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20 Regulation Update

21 [Judith Pachter Schulder, Esquire, Board Counsel,
22 referred to 16A-5139, noting there had not been any
23 movement regarding the packet of regulations involving
24 all the boards concerning the Volunteer License.

25 Ms. Pachter Schulder noted 16A-5140 was approved

1 by the Independent Regulatory Review Commission (IRRC)
2 and published as final.

3 Ms. Pachter Schulder noted continuing to work on
4 revising the preamble for 16A-5141 regarding Nursing
5 Education Programs to be in conjunction with changes
6 made.

7 Ms. Pachter Schulder discussed working on
8 revisions to 16A-5143 regarding Continued Competency
9 and Licensure by Endorsement under 63 P.S. § 6311
10 known as Act 41. She noted Regulatory Counsel was
11 reviewing the Preamble and Regulatory Analysis Form.
12 She mentioned not many nurses would apply for
13 licensure under this provision because the Board has
14 temporary permits available and a licensure by
15 endorsement provision.

16 Ms. Pachter Schulder referred to 16A-5144
17 regarding the Certified Registered Nurse Practitioner
18 (CRNP) Statement of Policy clarifying CRNPs may order
19 conscious sedation. She noted it was being drafted
20 because there was a question regarding whether CRNPs
21 could implement conscious sedation. She mentioned the
22 Statement of Policy must go through several offices
23 before being published in the *Pennsylvania Bulletin*.

24 Ms. Pachter Schulder referred to 16A-5145
25 regarding Certified Registered Nurse Anesthetist

1 (CRNA) licensure. She noted receiving comments after
2 those regulations were sent out for predraft input,
3 and the Board would be reviewing those at a future
4 meeting.

5 Ms. Pachter Schulder referred to 16A-5146
6 regarding Additional Continuing Education regulations
7 about the opioid education required for CRNPs as well
8 as the Organ Donation Education required to be
9 obtained one time for all licensees. She mentioned
10 the Achieving Better Care by Monitoring All
11 Prescriptions Program (ABC-MAP) information about
12 opioid education was in a different bill and
13 considering adding that to this package as well.

14 Ms. Pachter Schulder referred to 16A-5147
15 regarding the Nurse Licensure Compact (NLC)
16 regulation. She mentioned still waiting for a legal
17 response from the Federal Bureau of Investigation
18 (FBI) regarding its denial of the criminal background
19 check language in the Compact. She stated the Board
20 of Medicine has had Compact language since 2018 but
21 still had not implemented it because of the background
22 check issue.

23 Ms. Pachter Schulder informed Board members that
24 Ms. Wendy Miller and Board staff were working with the
25 Bureau of Finance and Operations (BFO) and the Revenue

1 Office to determine the fee for the Compact license.
2 She mentioned there would be an additional fee for
3 those converting the Pennsylvania license to the
4 multistate license, as well as for those applying new
5 for a multistate license. She noted that there also
6 has to be technology changes so that the Bureau's
7 licensure system can interface with NCSBN's system.

8 Ms. Pachter Schulder addressed the Bureau of
9 Professional and Occupational Affairs (BPOA)
10 regulation regarding Crimes Directly Related to the
11 Profession and Act 53 information added to that list,
12 including sexual offenses, drug trafficking offenses,
13 and violent crimes. She noted the package was being
14 drafted by Deputy Chief Counsel Cynthia Montgomery.

15 Stuart Savin, EdD, Administrative Director,
16 Lancaster County Career & Technology Center,
17 questioned the proposed regulatory changes for PN
18 program admission requiring algebra and lab science
19 and instructor requirements for a master's degree.

20 Ms. Pachter Schulder informed Dr. Savin that the
21 Board discussed that regulation last month and, in the
22 past, extensively. Regarding the proposed admission
23 requirements, she noted discussing the Board's
24 original recommendation wherein students could not be
25 admitted until they satisfied the math and science

1 requirements. She explained that in response to
2 concerns raised by PN programs and with input from the
3 Department of Labor and Industry, the language was
4 changed to require the completion of this instruction
5 prior to commencing the program. She mentioned
6 discussion several years ago regarding funds and
7 resources that would be available to programs and
8 students to obtain their education after completing
9 high school or acquiring their GED.

10 Dr. Savin stated Act 158 comes into effect with
11 the graduating class of 2023 and changes the
12 requirements for high school completion in
13 Pennsylvania. As a result, applicants will not have to
14 take the Keystone Algebra or Keystone Biology in order
15 to graduate.

16 Dr. Savin noted that under Act 158, there are
17 multiple pathways for students who are career and
18 technical education (CTE) concentrators to complete
19 high school graduation requirements. He commented
20 that there may be fewer students graduating from high
21 school with the algebra and/or lab science education
22 required for admission to practical nursing programs
23 under the draft Nursing Education Program regulations,
24 resulting in more demanding expectations for students
25 coming to the program.

1 Ms. Pachter Schulder commented that the Board has
2 been looking at pass rates for years, and one of the
3 biggest problems is the lack of preparation in math
4 and science.

5 Dr. Petula mentioned the importance of having a
6 strong math and science background in terms of passing
7 the licensure exam and then transitioning to practice,
8 where a large component of the licensure exam for
9 practical nurses is related to pharmacological
10 therapies.

11 Dr. Savin commented that entrance examinations
12 have proven to be a very powerful tool to help ensure
13 students admitted to the program can be successful.
14 PN programs have used entrance exams to predict how
15 students will do in math. He expressed concern about
16 the change in admission requirements becoming a big
17 challenge in the wake of changing exit requirements
18 for high schools.

19 Dr. Savin expressed a concern regarding the
20 master's degree requirement for PN program faculty.
21 Many of their practice locations for clinicals are
22 long-term care facilities where there are few master's
23 prepared health care practitioners. He noted that a
24 director of nursing (DON) at one of these facilities
25 may have an Associate Degree in Nursing (ADN) or a

1 diploma nurse. Requiring a master's degree across the
2 board will make finding practical nursing faculty
3 difficult.

4 In addressing the changes made by the Board in
5 the draft regulations, Ms. Pachter Schulder clarified
6 that PN program faculty would need a bachelor's
7 degree, and RN program faculty would need a master's
8 degree.

9 Dr. Savin commented that a good number of PN
10 programs in the Commonwealth of Pennsylvania do have
11 the programmatic accreditation, but not all of them
12 have the scope and wherewithal to enable a full-blown
13 accreditation just because of their size and/or
14 location. Ms. Pachter Schulder stated all RN programs
15 in the Commonwealth of Pennsylvania have accreditation
16 and over 50 percent of the PN programs have
17 accreditation as well.

18 Dr. Savin mentioned having been an evaluator for
19 the Northwest Commission on Colleges and Universities,
20 noting that successful programs with good National
21 Council Licensure Examination (NCLEX) pass rates may
22 not have the economy of skills to meet the
23 requirements of the Accreditation Commission for
24 Education in Nursing (ACEN) or the Commission for
25 Nursing Education Accreditation (CNEA) because of

1 their size.

2 Chair Kmetz commented that ACEN was revising
3 their standards effective 2023 and eliminated any
4 distinction between any of the programs. All programs
5 will have the same standards with the exception of a
6 couple of lines related to graduate nursing programs.
7 She mentioned the importance of being consistent with
8 what the national accrediting agencies want and
9 looking at the scope of practice of an LPN in the
10 Commonwealth of Pennsylvania. She believed the
11 correct decisions were made regarding the changes in
12 the regulations.

13 Dr. Savin expressed a concern and asked the Board
14 to consider that not all providers have the size and
15 scope to succeed with obtaining the accreditation due
16 to the requirements. He mentioned ACEN changed their
17 language for the requirement for degree students,
18 where faculty must meet the requirements of their
19 state, and CNEA has also come around to the same
20 decision.

21 Ms. Pachter Schulder explained that the Board's
22 decision to require nursing accreditation was in
23 response to the Board's repeated discussions about
24 programs on provisional status, the length of time
25 some programs were on provisional status, and the

1 quality indicators that were identified in those
2 evolving analyses.

3 Dr. Savin asked the Board to consider a
4 systematic evaluation plan (SEP) as a requirement for
5 programs. When considering quality indicators and
6 concerns that put a program on provisional status, he
7 believed the State Board of Nursing and/or an
8 accreditor most commonly relied upon the NCLEX pass
9 rate. He suggested that a well-done SEP that is active
10 and a live document is a wonderful way to assist
11 programs to thrive and is usually the core of
12 accreditation. In comparison, accreditation could be
13 a large hurdle for some of the smaller programs to
14 overcome.

15 Ms. Pachter Schulder stated the Board's
16 regulations have required systematic evaluation plans
17 and agrees it should be an active plan not just used
18 in emergency situations.

19 Ms. Pachter Schulder asked whether any Board
20 members wished to bring the regulations back for
21 further discussion regarding accreditation. There was
22 no response from Board members. She stated the Board
23 would not be bringing that regulation back at this
24 time but will take Dr. Savin's comments into
25 consideration, especially after the Board receives

1 public comment when the regulations are published in
2 the *Pennsylvania Bulletin*.]

3 ***

4 Adoption of Minutes of January 27, 2022

5 CHAIR KMETZ:

6 We need to adopt the minutes from
7 January 27, 2022. Any additions or
8 corrections?

9 If not, may I have a motion for
10 approval of the January 27, 2022
11 minutes?

12 DR. COUGHLIN:

13 So moved.

14 MS. MALADY:

15 Second.

16 CHAIR KMETZ:

17 All those in favor? Opposed?

18 Abstentions?

19 [The motion carried. Members Hunsberger and Claggett
20 abstained from voting on the motion.]

21 ***

22 Pennsylvania Legislative Update

23 [Judith Pachter Schulder, Esquire, Board Counsel,

24 addressed House Bill 2278, which removes the

25 requirement for regional accreditation. She noted

1 prior Board discussion in March 2021 concerning the
2 fact that the federal regulations just say accrediting
3 body recognized by the United States Department of
4 Education (USDOE). She noted that the Board suspended
5 enforcement of the word "regional" in § 21.51(a)(1)
6 and § 21.365(a) such that the regulations merely
7 required accreditation. She stated the bill would
8 amend different parts of the law to enunciate that it
9 is an accrediting body recognized by USDOE.

10 Ms. Pachter Schulder noted Licensed Dietician-
11 Nutritionists (LDNs) Recognition Day was on March 9.]

12 ***

13 Report of Board Chair - No Report

14 ***

15 Report of Acting Commissioner

16 [Arion R. Claggett, Acting Commissioner, Bureau of
17 Professional and Occupational Affairs, informed
18 everyone that all Board meetings moving forward will
19 be held in a hybrid format providing the option of
20 attending virtually or in person for Board members and
21 the public.

22 Acting Commissioner Claggett, Wendy Miller, and
23 Cindy Miller will be attending all Board meetings in
24 person. He also mentioned the meetings would be held
25 utilizing Microsoft Teams instead of Webex.

1 Ms. Cindy Miller requested Board members inform
2 her via email of their plans to attend the May 5, 2022
3 Board meeting in person or virtually.]

4

5 Appointment - Reading Area Community College - PN
6 Program

7 [Judith Pachter Schulder, Esquire, Board Counsel,
8 informed everyone Reading Area Community College was
9 before the Board because the program has been on
10 provisional status for 2 years as a result of pass
11 rates. She noted a pass rate this past year of
12 72.73%, and 72.2% the year before. She asked Reading
13 Area Community College to explain the problems which
14 led to the provisional status, plans to correct the
15 situation, and how the facility implemented the
16 Concept Based Curriculum (CBC) approved by the Board
17 in May 2021.

18 Michelle Wallace, EdD, MSN, RN, Director of
19 Nursing Programs, Reading Area Community College,
20 referred to a Performance Improvement Plan, noting
21 many things have been instituted since going on
22 provisional status the first time. She addressed
23 admission criteria regarding math and science with an
24 increase in science from 3 to 6 credits, development
25 of an Allied Health math course the practical nurses

1 and registered nurses need to take prior to admission,
2 along with the implementation of the Test of Essential
3 Academic Skills (TEAS). She mentioned the first
4 cohort that started in January 2022 had all those
5 requirements.

6 Dr. Wallace addressed last year's statistics,
7 where six out of seven students passed and would have
8 been off provisional but had four 2019 graduates who
9 delayed testing 21 months after graduating. She noted
10 2021 December graduates, where four tested and passed
11 with one yet to test. She mentioned no other students
12 needed to test from 2019. The facility has a 100
13 percent pass rate because the remaining student was
14 delayed due to a background check.

15 Dr. Wallace mentioned having much faculty
16 development with exam analysis and exam writing and
17 teaching and learning presentations in quarterly
18 program meetings. She reported on various
19 reorganizing and updating of the curriculum, noting
20 the 2022 class is the first of the concept-based
21 curriculum institution. She noted currently starting
22 with 12 students, where all but 1 of those students
23 have continued to be a success.

24 Ms. Malady requested additional information
25 regarding attrition rates.

1 Dr. Wallace reported having 29 students in 2020
2 but losing all but 7 of them through the pandemic and
3 having 16 students in 2021 with 5 graduating. She
4 addressed the importance of admission criteria and
5 making sure students are prepared, along with faculty
6 being focused on getting the word out and looking at
7 resources. She reported their completion rate went up
8 to 31.2 percent from 24.1 percent last year.

9 Dr. Wallace addressed student support services,
10 including a multilingual language center to help
11 students struggling where English may not be their
12 first language. She stated the staff are proactive
13 regarding diversifying the nursing workforce.

14 Dr. Wallace noted the TEAS test provides data on
15 student weaknesses, along with having a Student
16 Success Coach specific for health professions and
17 bringing in an advisor specific for the health
18 professions. She mentioned having the TEAS test score
19 at 50.7 percent to not limit their pool of students.

20 Ms. Malady expressed concern with the TEAS score
21 being too low and setting someone up for failure,
22 noting 41.3 to 58 percent is basic and proficient is
23 58 to 77 percent according to the TEAS report.

24 Dr. Wallace commented that an acceptable score is
25 58.7, along with reviewing grade point average (GPA),

1 and talking with them about the rigor of the program
2 and making sure the student is ready with a support
3 system at home.

4 Ms. Malady requested additional information
5 regarding faculty making the shift from the more
6 traditional curriculum to the concept-based
7 curriculum.

8 Dr. Wallace noted having her own experience with
9 concept-based curriculum and utilizing different
10 resources, including the Assessment Technologies
11 Institute (ATI) and NurseTim, where faculty were
12 engaged participants in curriculum development.

13 Ms. Pachter Schulder informed Reading Area
14 Community College that the Board would have a decision
15 regarding their request for extension of provisional
16 status after Executive Session and would also receive
17 a letter from the Board.]

18 ***

19 Appointment - Health and Technology Training Institute
20 - PN Program

21 [Judith Pachter Schulder, Esquire, Board Counsel,
22 requested an explanation for the overall pass rate of
23 42.86 percent for 2020-2021 and second quarter pass
24 rate from last year at 25 percent. She also reported
25 tremendous improvement this year with the first

1 quarter at 88.89 percent, and 100 percent for the
2 second quarter but asked why there are less students.

3 Shona Murphy, MSN-Ed, RN, Interim Director of
4 Practical Nursing Program, Health and Technology
5 Training Institute, addressed improvements she made
6 after taking over as director, including hiring
7 instructors that had expertise and engaging with
8 students when they took their ATI exam, noting 11 out
9 of 12 passed successfully on the first attempt.

10 Ms. Murphy reported currently having five faculty
11 members with a background in teaching, with one member
12 with 30 years of clinical experience, along with
13 having professional development to assist in weak
14 areas. She also noted utilizing Elsevier and ATI.
15 Ms. Pachter Schulder asked Ms. Murphy whether she had
16 an opportunity to review the deficiencies from pass
17 rates from last year against the Mountain Measurement
18 or similar reports.

19 Ms. Murphy requested the report to view the
20 students' weaknesses in order to put more emphasis in
21 that area but was waiting for the workshop to train
22 her on properly reading the report. She noted
23 utilizing UWorld and being interested in seeing older
24 reports outlining where students were not acquiring
25 the proper knowledge.

1 Ms. Murphy provided a brief summary of her
2 professional background, noting she taught the class
3 of 2021, which is the class that has been passing the
4 boards.

5 Chair Kmetz asked Ms. Murphy what the
6 relationship is between quality point average (QPA) in
7 their program and success on NCLEX®.

8 Ms. Murphy explained that the past TEAS scores
9 from previous participants are considered when
10 deciding how to move from 55 to 60 percent. She noted
11 not getting to the relationship between students' QPA
12 in their program and success on NCLEX®.

13 Ms. Murphy reported the class of 2021 had 19
14 students, with 4 waiting for their Authorization to
15 Test (ATT) and 3 working on NCLEX® readiness. She
16 also reported 1 student reached out prior to that,
17 some are working and have not made the decision, and
18 some have passed the time frame.

19 Ms. Pachter Schulder commented that the Board
20 could reevaluate the application after 2 years under
21 the standards that are in effect at that time, but
22 there is nothing that precludes students from taking
23 the NCLEX® as many times or as late as preferred. She
24 mentioned that students are less likely to pass the
25 longer they wait to test according to pass rate

1 statistics. She also mentioned students count as
2 first-time test takers for the program until the
3 student actually takes the test.

4 Ms. Murphy commented that many of the staff give
5 their personal time to students, along with having a
6 tutor helping with anatomy and physiology (A&P) and a
7 math tutor. She also personally reaches out to
8 students not doing well by assessing the situation and
9 starting intervention.

10 Ms. Murphy mentioned being in the process of
11 researching how to write exam questions related to
12 what faculty is teaching and getting guidance from an
13 educator who has a background in teaching and
14 education.

15 Teresa Collins, Executive Director of District
16 1199C Training & Upgrading Fund, commented that Ms.
17 Murphy has done a phenomenal job analyzing everything
18 and informed everyone that she would be losing the
19 interim title and become the director probably at the
20 next Board meeting.

21 Ms. Pachter Schulder informed the Health and
22 Technology Training Institute that the Board would
23 deliberate on the request for an extension of
24 provisional status during Executive Session. She
25 mentioned the Board would likely require them to come

1 back in the next quarter or quarter period after that
2 and report, especially on admission.]

3

4 Appointment - Nurse Board FY 2021-2022 Budget Review
5 [Amanda Richards, Chief of Fiscal Management, Bureau
6 of Finance and Operations, Department of State,
7 informed the Board that the Bureau of Finance and
8 Operations (BFO) reviews the licensee population on a
9 biennial basis. She reported a license count in FY
10 15-16 of 302,799, FY16-17 of 296,018, FY17-18 of
11 305,292, FY18-FY19 of 310,394, FY19-20 of 314,704, and
12 FY20-21 of 316,604. She also reported a license count
13 of 328,977 at the time of the report, noting an
14 increase of 1,145 this morning to a total license
15 count of 330,122.

16 Ms. Richards noted the total biennial revenue of
17 \$42,065,256.10, with 95 percent of revenue coming from
18 renewals and applications. She commented that revenue
19 is attained from other categories but cannot be
20 counted on as it is not consistent.

21 Ms. Richards addressed Board expenses. She stated
22 expenses are incurred through direct charges,
23 timesheet-based costs, and license-based costs. She
24 noted expenses for FY19-20, FY20-21, and actual
25 expenses as of March 14, 2022. She reported on a

1 recent increase in expenses.

2 Ms. Richards reviewed revenues and expenses,
3 noting the Board had a fee increase that went into
4 effect in FY2019, noting the actual expenses for FY19-
5 20 and FY20-21 and projected budget for FY21-FY22.
6 She projected out to FY24-25, where the Board would be
7 back in the black.

8 Ms. Richards noted Board member expenses in FY19-
9 20, FY20-21, and the expenses as of the date of the
10 report. She stated the \$58,000 budget was adequate
11 for FY21-22 and has been carried over to FY22-23.

12 Ms. Richards reminded the Board that funds not
13 spent are returned to the restricted account for the
14 Board to use at a later time.

15 Ms. Pachter Schulder suggested BFO look at other
16 Board fees when reviewing the Compact License fee
17 since the Compact will also withdraw some of the
18 revenue the Board currently gets for Letters of Good
19 Standing, which is close to \$1.7 million for 2 years.

20 Ms. Pachter Schulder noted not being sure when the
21 FBI would approve the language or when regulations
22 would go into effect. She mentioned having
23 conversations with Kim Mattis from BFO because people
24 who move out of state and have a multistate license in
25 another state will no longer need their Pennsylvania

1 license and would impact the number of licensees and
2 renewals.]

3

4 Appointment - PITC Institute Online Curriculum
5 Proposal

6 [Shahid Ahmed, PhD, President, and Alex Aduboahen,
7 MSN, Practical Nursing Director, appeared before the
8 Board on behalf of PITC.

9 Dr. Ahmed informed the Board that the institution
10 has been conducting distance education for the last 2
11 years and converted to distance education for didactic
12 courses because of the pandemic. He noted having a
13 student information system CampusVue online, along
14 with a financial aid system and 24-hour online portal
15 with direct telephone line and email system.

16 Dr. Ahmed stated the Practical Nurse Associate in
17 Specialized Technology (AST) Degree program is already
18 approved by the Accrediting Bureau of Health Education
19 Schools (ABHES) as well as the State Board of Private
20 Licensed Schools (PLS). He also noted having a strong
21 coaching and tutoring program.

22 Ms. Pachter Schulder stated the program is
23 currently on provisional status at 77.27 percent.

24 Alex Aduboahen, MSN, Practical Nursing Director,
25 PITC Institute, noted going online in 2019-2020 during

1 the pandemic and meeting the goal but falling short in
2 2020-2021. He addressed a detailed curriculum and
3 working on getting the score back with improvements,
4 including more Moodlerooms test taking with
5 proctoring. He noted students went for a temporary
6 license and waiting too long to take the test in 2020-
7 2021 and failed. He mentioned having pass/fail exams,
8 where anything below 75 percent is a failing grade.

9 Ms. Pachter Schulder requested information
10 regarding identifying students on the brink of failure
11 and remediation.

12 Mr. Aduboahen stated PITU identifies students
13 early and has a strong tutoring system to identify
14 weaknesses from instructors who have a master's degree
15 and expertise in their areas.

16 Chair Kmetz inquired as to the number of full-time
17 and part-time faculty and the number of full-time and
18 part-time tutors that are not faculty who conduct both
19 functions for the 338 students.

20 Mr. Aduboahen noted maintaining the faculty with 6
21 full-time faculty and 19 part-time faculty.

22 Ms. Luchs asked whether PITC is admitting 338
23 students yearly over the 8 cohorts and whether the
24 number of active students were being monitored so the
25 ratio of students-to-faculty based on their resource

1 of 6 full-time and 19 part-time is known.

2 Dr. Ahmed noted the faculty-to-student ratio is 1
3 to 25 in didactic classrooms and 10 in the residential
4 clinical. He also noted it will never exceed 15 in
5 the laboratory environment. He mentioned the average
6 number of students in a cohort is 25 to 50.

7 Mr. Aduboahen noted that students who graduated in
8 2020-2021 who did not readily take the NCLEX resulting
9 in the failures.

10 Mr. Aduboahen addressed online courses, noting it
11 to be mostly didactics. He noted the skills lab is
12 not online and addressed residential clinicals. Dr.
13 Ahmed mentioned that students get experience utilizing
14 a programmed manikin, Simon.

15 Ms. Pachter Schulder asked what is being done
16 during the 300 hours with the high-fidelity manikin
17 virtually.

18 Mr. Aduboahen noted having pre- and post-tests, a
19 pre-conference between the instructor and student on
20 Google Meet, and review of performance with a post-
21 conference, where the student needs 90 percent on the
22 reflection questions.

23 Chair Kmetz commented that PITC went from 88.25
24 percent to 77.27 on the NCLEX® and questioned how that
25 was related to COVID.

1 Dr. Ahmed stated nurses decided to take the
2 temporary practice permit and work during the
3 pandemic, and PITC struggled to have the students take
4 the test. He reported one student came back after a
5 year and a half and went to the Board of Nursing
6 giving the reasons why students should be allowed to
7 take the test directly, bypassing the Nursing
8 Education Verification (NEV) requirements.

9 Ms. Pachter Schulder noted graduates do not have
10 to come back for training and are able to register for
11 the exam, but no one can bypass the NEV because they
12 cannot register for the NCLEX® without the program
13 having provided a NEV.

14 Dr. Ahmed commented that there is a requirement
15 that a student must test within 1 year. Ms. Pachter
16 Schulder explained that it is not a requirement. She
17 stated the Board had a provision requiring reeducation
18 in its proposed regulation but were told by IRRC that
19 the Board did not have the statutory authority to
20 require anyone to obtain further education. She
21 commented that individuals are encouraged to return to
22 their program for remediation, but there is no
23 requirement to come back.

24 Ms. Pachter Schulder further explained that
25 graduates must obtain permission to take and/or retake

1 the exam as well as provide an explanation for why the
2 test was not taken within one year of program
3 completion plus explain how they prepared for the
4 NCLEX®.

5 Dr. Ahmed commented that PITC would have met the
6 80 percent minimum pass rate, but all of the students
7 did not take the test for a year and a half, even if
8 two students passed, including the one the Board gave
9 permission to take the test without their knowledge.

10 Ms. Hertzler referred to page 483 Appendix K and
11 suggested changing or removing "diagnosing the
12 problem" because it is not accurate for an LPN or an
13 RN unless they are a nurse practitioner. She asked
14 whether the student takes any part-time classes.

15 Dr. Ahmed noted having one 90-week program and a
16 120-week extended program. He addressed digital
17 technology, noting it was far more interactive with
18 the students and engages students more with the
19 technology than residential learning.

20 Ms. Malady requested information regarding what
21 happens to the tuition for the huge percentage of
22 students not graduating.

23 Dr. Ahmed explained that anyone who drops out
24 never pays full tuition. He noted PITC has been in
25 business for 15 years and has never been charged by

1 the United States Department of Education, noting
2 there is a Title IV audit and financial audit.

3 Ms. Pachter Schulder requested information
4 regarding the 860 hours of clinical experience broken
5 down into 500 in-person hours, 300 virtual hours, and
6 60 simulation hours.

7 Mr. Aduboahen noted 100 hours in level 1
8 fundamentals; 223 hours in level 2 on how to
9 administer medication, pharmacology, and pediatrics;
10 and 190 hours in level 3 in Medical Surgical I and II.
11 He mentioned going to facilities for medical surgical,
12 pharmacology, advanced nursing skills, and others.

13 Chair Kmetz requested information regarding
14 curricular changes that support the program being
15 removed from provisional status and increasing the
16 NCLEX® pass rate.

17 Mr. Aduboahen stated PITC increased tutoring
18 services, identifies students having difficulty early,
19 and has a 24-hour student portal. He mentioned PITC
20 realized taking the NCLEX® late set them back, so PITC
21 plans to give students 60 days to take NCLEX® and
22 reimburse half of the NCLEX® fee if they pass. He
23 noted preparing for changes to the NCLEX® test plan
24 and utilizing other resources, including ATI and Next
25 Generation NCLEX®.

1 Ms. Malady requested information regarding
2 simulation program standards.

3 Dr. Ahmed stated their instructors are certified
4 by Laerdal on its patient simulators and manikins.

5 Ms. Pachter Schulder commented that they certify
6 someone to be able to work with their products, which
7 is different than imposing simulation standards
8 irrespective of the products.

9 Dr. Ahmed stated Laerdal incorporates that into
10 their system, where there is training in order to
11 demonstrate and offer certification.

12 Ms. Pachter Schulder noted Drexel has a
13 simulation certification that incorporates the
14 International Nursing Association for Clinical
15 Simulation and Learning (INACSL) standards. She
16 mentioned Laerdal is a private company.

17 Ms. Malady referred to MaxKnowledge and asked
18 whether those courses specifically prepared
19 instructors to teach online or just provide education
20 on their products.

21 Dr. Ahmed explained that the courses are
22 specifically training instructors to teach online,
23 which is where they are channeling most of the
24 training to benefit students.

25 Ms. Pachter Schulder informed PITC Institute that

1 the Board would deliberate on the matter during
2 Executive Session and voting in public session with
3 the results.]

4 ***
5 Linda L. Kmetz, PhD, RN, Chair, exited the meeting at
6 1:09 p.m. due to recusal purposes for the next two
7 appointments.]

8 ***
9 [The Board recessed from 1:09 p.m. until 1:18 p.m.]

10 ***

11 VICE CHAIR COUGHLIN ASSUMED THE CHAIR

12 ***

13 Appointment - University of Pittsburgh Proposal for a
14 Post-Graduate Pediatric Acute Care Nurse
15 Practitioner Certificate Program
16 [Judith Pachter Schulder, Esquire, Board Counsel,
17 requested the University of Pittsburgh highlight
18 aspects of the proposal.

19 Elizabeth Schlenk, PhD, RN, CNL, FAAN, Associate
20 Dean for Graduate Clinical Education, University of
21 Pittsburgh, stated they currently have a primary care
22 nurse practitioner program, and the pediatric acute
23 care nurse practitioner certificate would be new.

24 Dr. Schlenk reported having two new didactic and
25 two new clinical courses being taught by a part-time

1 acute care nurse practitioner certified in that
2 specialty, along with teaching a role practicum course
3 and a human genetics and clinical applications course
4 taught by the current PhD-prepared faculty member.

5 Dr. Schlenk stated the program is a 2-semester
6 certificate totaling 18-21 credits with the first term
7 being full-time and about 10-12 credits and then the
8 second term part-time at 8-9 credits covering both
9 didactic and clinical content as well as over 500
10 hours, which are needed to sit for the pediatric acute
11 care nurse certification exam.

12 Dr. Schlenk further explained that applicants
13 approved for enrollment have previously been certified
14 as nurse practitioners and seek to add acute care
15 nurse practitioner certification.

16 Dr. Schlenk estimated having 2 students enrolled
17 each spring term and then continuing into the summer
18 term, where after 5 years, they would have 10
19 graduating and sitting for the certification exam.

20 Ms. Pachter Schulder requested information
21 regarding additional costs to the overall program
22 budget.

23 Mohammed Abdel Fattah, MBA, Associate Budget
24 Director, believed it would help the community without
25 adding much to the budget.

1 Dr. Schlenk noted the tuition is \$46,678 with an
2 anticipated net revenue the first year of \$8,600,
3 second year around \$9,600, and then up to \$18,000 to
4 \$19,000 in years 3 through 5.

5 Ms. Pachter Schulder noted the Board would
6 deliberate during Executive Session. She informed Dr.
7 Schlenk and Mr. Fattah that they could wait until the
8 end of the meeting for a decision and also get a
9 letter from the Board advising them of the outcome.

10 Dr. Schlenk thanked the Board and Dr. Petula for
11 her review and suggestions for improvement.]

12

13 Appointment - Mercyhurst University Proposal for
14 Establishment of a Prelicensure Bachelor of Science
15 Degree in Nursing (BSN) Program
16 [Judith Pachter Schulder, Esquire, Board Counsel,
17 informed everyone the Board tabled this program from
18 last month regarding pass rates of Mercyhurst because
19 the facility is currently on provisional status for
20 the ADN program with a pass rate of 80 percent in the
21 first quarter and 82.61 percent in the second quarter.

22 She noted a PN pass rate in the first quarter of 100
23 percent and second quarter of 66.67 percent. She
24 noted the Board was facing the conundrum of allowing
25 another program when a program was on provisional

1 status.

2 Nicole Moore, MSN, RN, CNE, BSN Program Director,
3 Assistant Professor of Nursing, Mercyhurst University,
4 stated the reason for seeking the BSN application is
5 because their student population is going to be very
6 different for their traditional 4-year baccalaureate
7 program compared to the students in the practical
8 nursing and associate degree nursing programs. She
9 commented that the majority of the students in both of
10 those programs are nontraditional students who are
11 dealing with a lot of life circumstances.

12 Ms. Moore noted they are not going to be requiring
13 a higher GPA for admission into the baccalaureate
14 program and will see a lot of differences in the
15 circumstances of the students coming in right out of
16 high school into a traditional baccalaureate program
17 compared to the students in the practical nursing and
18 associate degree programs who are caring for a number
19 of dependents in the household as well as working
20 part-time and full-time jobs.

21 Ms. Moore commented that all of the nursing
22 programs are now held on the Erie campus and are
23 receiving a number of requests wanting a 4-year
24 baccalaureate program, especially from individuals who
25 are interested in playing Division I and II sports

1 that are offered at the Mercyhurst University.

2 Ms. Moore addressed pass rates, noting a decision
3 made during COVID at the university level to allow
4 students in that initial COVID spring semester to opt
5 for a pass/fail option for all of their courses, where
6 12 out of 14 failures from that particular quarter
7 were students who chose to pass/fail a class.

8 Joanne Hosey-McGurk, PhD, Vice President for
9 Academic Affairs, Mercyhurst University, noted that
10 she and Dr. Dyan Jones were not in their present
11 positions at that time in the spring of 2020 and would
12 not have allowed nursing students to use a pass/fail
13 for their nursing courses, and the mistake will not be
14 repeated.

15 Ms. Malady requested more information regarding
16 the increase in the ADN program test scores from 50
17 percent to 82 percent.

18 Ms. Moore explained that Mercyhurst University
19 graduates two cohorts of students and plays a role in
20 the differences in where pass rates fall in specific
21 quarters, along with differences in having a part-time
22 and full-time program. She reported a recent
23 curriculum change in their practical nursing program
24 that has impacted some of those changes as well as
25 implementation of a new program director.

1 Ms. Moore noted Mercyhurst University reimburses
2 students their full exam fee for their NCLEX® if they
3 take their exam within 60 days. She mentioned setting
4 students up for success by going through all of their
5 capstone courses and taking the ATI exam, noting an
6 uptick in how students are doing there as well.

7 Dr. Hosey-McGurk addressed their plan and how
8 students are doing after going on provisional status.
9 She noted 17 students passed and 1 student failed the
10 NCLEX® from their spring cohort, but everyone passed
11 from the most recent class. She mentioned having
12 strong faculty, tutoring, and a master's-prepared
13 nurse who has been there for almost 20 years.

14 Ms. Pachter Schulder informed Mercyhurst
15 University that the Board would deliberate in
16 Executive Session and be voting in public session, but
17 they would also receive a letter from the Board.]

18 ***

19 CHAIR KMETZ RESUMED THE CHAIR

20 ***

21 Appointment - Neumann University Proposal for an
22 Adult-Gerontology Acute Care CRNP MSN and Post-
23 Master's Certificate Program
24 [Judith Neubauer, MSN, RN, CRNP, AGPCNP, Assistant
25 Professor and Program Director, Graduate Nursing

1 Program, Neumann University, stated the Adult-
2 Gerontology Acute Care CRNP MSN and Post-Master's
3 Certificate program is going to add to their existing
4 Adult-Gerontology Primary Care Nurse Practitioner
5 program. She noted a 44-credit program for the
6 student who needs to go through the full program and a
7 post-master's certificate that can be completed
8 anywhere from 22 to 32 credits.

9 Ms. Neubauer hoped to provide students with the
10 knowledge, skills, and opportunities needed to
11 diagnose, treat, and manage the complex acute patient.
12 She noted all students will be eligible to sit for
13 certification through the American Nursing
14 Credentialing Center (ANCC) or the American
15 Association of Critical Care Nurses (AACN) at the end
16 of the program.

17 Ms. Neubauer introduced proposed faculty Dr.
18 William Pezzotti and Ms. Megan Doble, who are both
19 certified as adult-gerontology acute care nurse
20 practitioners and work in critical care units. She
21 stated their experience will benefit students in the
22 classroom. Both have also provided strong contacts
23 and community support to help secure preceptors for
24 students.

25 Chair Kmetz asked whether Neumann University is

1 having difficulty finding preceptors for students.

2 William Pezzotti, DNP, RN, CRNP, AGACNP-BC, Adult-
3 Gerontology Acute Care Program Coordinator, Neumann
4 University, agreed that it is difficult to find
5 preceptors, but Neumann has been lucky enough to have
6 a host of people step up to the plate as preceptors.
7 He noted he and Ms. Doble were able to tap into their
8 own organization for preceptors.

9 Ms. Pachter Schulder informed Neumann University
10 the Board would deliberate in Executive Session and
11 vote in public session later in the meeting but would
12 also send a letter regarding their proposal.]

13

14 Report of Board Counsel - Request for an Extension of
15 the 5-year MSN Requirement

16 [Judith Pachter Schulder, Esquire, Board Counsel,
17 referred to the request from Kelly Sabo, RN, BS,
18 regarding the requirement that she obtain a master's
19 degree within 5 years. She noted the letter sent to
20 the Board by Ms. Sabo and asked Ms. Sabo to explain to
21 the Board where she is in her completion.

22 Ms. Sabo noted she is currently making
23 arrangements to enroll in a practicum course and then
24 has a capstone course and a final comprehensive exam.
25 She addressed delays with the practicum course, noting

1 she did identify a site and a preceptor, submitted the
2 documents, and is waiting to hear back from Aspen
3 University to enroll.

4 Ms. Sabo mentioned asking conservatively for 6
5 months to 1 year to finish because of significant
6 delays due to personal and family circumstances as
7 well as the COVID pandemic. She noted working at the
8 Pennsylvania College of Health Sciences part-time from
9 July 31, 2017, to the spring of 2021.

10 Ms. Pachter Schulder informed Ms. Sabo that the
11 Board would deliberate on the matter in Executive
12 Session and vote in open session, but she would also
13 receive a letter from the Board.]

14

15 Report of Committees - Probable Cause Screening
16 Committee

17 [Judith Pachter Schulder, Esquire, Board Counsel,
18 informed the Board of the need for a new Probable
19 Cause Screening Committee Board member to review
20 probable cause matters. She explained the Committee
21 reviews matters brought by prosecuting attorneys and
22 recuses themselves from matters where the Committee
23 has made a determination.

24 Dr. Hunsberger volunteered to be a member of the
25 Probable Cause Screening Committee.

1 Ms. Hertzler noted moving on 10 Petitions for
2 Appropriate Relief, 23 Petitions for Mental and
3 Physical Examinations, and no Immediate Temporary
4 Suspensions.]

5 ***
6 Application Review Committee
7 [Kristin Malady, BSN, RN, Chair, noted reviewing
8 several applications and moving them forward.]

9 ***
10 Advanced Practice - Education, Regulation &
11 Application Committee - No Report

12 ***
13 RN/PN Practice, Education, & Regulation/Advanced
14 Practice Committee - No Report

15 ***
16 Dietitian-Nutritionist Committee
17 [Kessey J. Kieselhorst, MPA, RD, LDN, CPHQ, noted
18 March is National Nutrition Month, and the theme this
19 year is "Celebrate a World of Flavors." She also
20 noted March 9 is Registered Dietitian-Nutritionists
21 Day.]

22 ***
23 IT & Communication Issues Committee
24 [Linda L. Kmetz, PhD, RN, Chair, commented that she is
25 looking forward to switching to the Teams platform.]

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Report of Board Members Who Attended a Meeting on
Behalf of the Board

[Linda L. Kmetz, PhD, RN, Chair, mentioned participating in the NCSBN Midyear Meeting last week. She noted being a member of the NCLEX® Item Writing Review Subcommittee for NCSBN and attending meetings in February and March. She reported having a final review of 701 Next Generation NCLEX® items in February and 719 in March. She volunteered and hoped to be on the ballot for the Leadership Succession Committee for Area IV.]

Report of Executive Secretary

[Wendy J. Miller, MSN, RN, Executive Secretary, welcomed a new Nursing Practice Advisor, Susan Bolig, MSN, RN, and provided a brief summary of her professional background.

Ms. Miller announced that the April 2022 renewal is open for RNs, CRNPs, CNSs, and CRNPs with prescriptive authority. She noted renewals to be running smoothly with almost 40 percent of RNs and CRNPs and 53 percent of clinical nurse specialists having already renewed.

Ms. Miller reminded everyone of the 2-hour Child

1 Abuse Continuing Education (CE) requirement and
2 encouraged everyone to have that done so the
3 information can be received from the provider for
4 license renewal. She informed everyone to check with
5 the CE provider if their information is not showing up
6 in the Pennsylvania Licensing System (PALS) after a
7 few weeks. She noted the importance of making sure
8 the name used to register for the class matches the
9 name on their license and reviewing responses before
10 submitting their renewal application.

11 Ms. Miller addressed her virtual attendance at
12 the NCSBN Midyear Meeting last week for the Nurse
13 Licensure Compact (NLC) Commission and board executive
14 officers.

15 Ms. Miller reminded everyone that the temporary
16 practice permits (TTP) extended during the pandemic
17 would be expiring on March 31, 2022. She mentioned
18 staff is monitoring and working hard to process those
19 applications for permanent licensure for those who
20 have submitted additional documentation.

21 Ms. Pachter Schulder commented that she has no
22 information on whether there will be legislative
23 action to extend the TPPs. She stated TPP holders on
24 a case-by-case basis are able to ask for continuation
25 of a temporary practice permit like under any

1 temporary permit application and that extension
2 requests would be decided by the Application
3 Committee.

4 Ms. Miller informed everyone that the application
5 for a temporary practice permit extension is on the
6 Board's website and is still a paper application sent
7 via mail.]

8

9 Old Business - Professional Health Monitoring Program
10 (PHMP) Monitored Practice Terms

11 [Carole Clarke Smith, Esquire, Senior Board Counsel,
12 mentioned the Board would be discussing specific
13 requests to extend previous waivers issued for nurses
14 to be able to work from home without direct
15 supervision in Executive Session.

16 Ms. Clarke Smith noted prior Board discussion
17 about 4 years ago as to whether the Board wanted to
18 revise the monitored practice section that would apply
19 to Professional Health Monitoring Program (PHMP)
20 terms. She mentioned the Board decided to stay with
21 direct supervision and then COVID hit allowing people
22 to work from home with the support of PHMP without
23 direct supervision.

24 Ms. Clarke Smith asked whether the Board wanted
25 to change direct supervision to what the Board of

1 Pharmacy does with workplace monitoring, where a
2 participant in the Voluntary Recovery Program (VRP) or
3 Disciplinary Monitoring Unit (DMU) would have someone
4 identified as the workplace monitor who is responsible
5 for reviewing the nurse's work or continue to look at
6 these on a case-by-case basis.

7 Ms. Clarke Smith noted paragraph 30 would need to
8 be revised to allow a participant in PHMP to request a
9 waiver if the Board wanted to continue to allow people
10 to request to work remotely or at home on a case-by-
11 case basis.

12 Chair Kmetz commented that the Board of Pharmacy
13 has done that successfully and so can the Board of
14 Nursing, noting that it is going to be more common in
15 the future with people working from home.

16 Ms. Clarke Smith offered to add the language to
17 the terms for the Board's review and maybe ask Mr.
18 Knipe to attend the May meeting to explain how that
19 works with pharmacy participants.]

20

21 New Business - Selection of 2023 Board Meeting Dates
22 [Cynthia K. Miller, Board Administrator, provided a
23 list of available 2023 meeting dates; Board members
24 selected January 20, March 6, April 14, June 5, July
25 20, September 15, October 30, and December 11.]

1 ***

2 New Business - NRB Test Plan Feedback: PN 2023 & RN
3 2023

4 [Judith Pachter Schulder, Esquire, Board Counsel,
5 referred to test plan documents for RN and PN exams,
6 noting the addition of clinical judgment, and asked
7 whether anyone had any objections.]

8 MS. PACHTER SCHULDER:

9 The Board would entertain a motion to
10 adopt the test plan for both the RN and
11 PN 2023 NCLEX® exams.

12 CHAIR KMETZ:

13 Do we have a motion?

14 MS. MALADY:

15 So moved.

16 DR. COUGHLIN:

17 Second.

18 CHAIR KMETZ:

19 All those in favor? Opposed?

20 Abstentions?

21 [The motion carried unanimously.]

22 ***

23 For the Board's Information - Nursing Shortage in
24 Pennsylvania Article

25 [Judith Pachter Schulder, Esquire, Board Counsel,

1 referred to a news article on the Agenda regarding the
2 nursing shortage. She addressed articles written on
3 nurse board processing time, discussing how to obtain
4 a license, where the Board encouraged obtaining a
5 permit or authorization to practice. She noted that
6 the Bureau favored enabling out-of-state nurses to
7 practice within a few days of application with a
8 temporary practice permit then processing licensure
9 applications which could be processed without practice
10 interruption so long as proper information was
11 provided within the year before the permit expired.]

12 ***

13 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
14 2:22 p.m., the Board entered into Executive Session
15 with Judith Pachter Schulder, Esquire, Board Counsel;
16 Carole Clarke Smith, Esquire, Board Counsel; Ariel
17 O'Malley, Esquire, Board Counsel; Todd Kriner,
18 Esquire, Board Counsel; and Megan E. Castor, Esquire,
19 Board Counsel, for the purpose of conducting quasi-
20 judicial deliberations on the matters on the agenda
21 listed under the Report of Board Counsel, Report of
22 Prosecutorial Division, and Appointments. The Board
23 returned to Open Session at 3:30 p.m.]

24 ***

25 MOTIONS

1 Chair Kmetz is recused and Vice Chair
2 Coughlin will preside?

3 MS. MALADY:

4 So moved.

5 MS. LUCHS:

6 Second.

7 VICE CHAIR COUGHLIN:

8 All those in favor? Opposed?

9 Abstentions?

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

12 ***

13 CHAIR KMETZ RESUMED THE CHAIR

14 ***

15 MS. PACHTER SCHULDER:

16 Is there a motion to table PITC
17 Institute's Proposal for an Online
18 Curriculum program until such time as
19 they document evidence-based data that
20 supports the 300 hours of virtual
21 simulation is effective, that they
22 provide proof that an online program for
23 nursing is a successful way to have
24 nursing education, that they provide
25 evidence of online RN or LPN programs in

1 the country that are taught in an all
2 online format, and finally that they
3 achieve an 80% pass rate for students in
4 the 2020-2021 class of which 266
5 students started the program according
6 to the information provided by PITC and
7 of which 34 have withdrawn, so there are
8 232 students, when they provide
9 documentation with regard to the pass
10 rates for the students in that 2021
11 class?

12 MS. MALADY:

13 So moved.

14 DR. COUGHLIN:

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 grant Neumann
23 University's Proposal for an Adult-Gero
24 Acute Care CRNP MSN and Post-Master's
25 Certificate program?

1 MS. MALADY:

2 So moved.

3 MS. LUCHS:

4 Second.

5 CHAIR KMETZ:

6 All those in favor? Opposed?

7 Abstentions?

8 [The motion carried unanimously.]

9 ***

10 MS. PACHTER SCHULDER:

11 Is there a motion to deny the request to
12 redact portions of the record in the
13 matter involving Roseanne Elizabeth
14 Norgren, RN, as the discipline is
15 related to her DUI and psychological
16 issues?

17 DR. COUGHLIN:

18 So moved.

19 MS. MALADY:

20 Second.

21 CHAIR KMETZ:

22 All those in favor? Opposed?

23 Abstentions?

24 [The motion carried unanimously.]

25 ***

1 Abstentions?

2 [The motion carried unanimously.]

3 ***

4 MS. PACHTER SCHULDER:

5 Is there a motion to approve the VRP
6 Consent Agreements for items 2 through
7 15?

8 MS. MALADY:

9 So moved.

10 MS. LUCHS:

11 Second.

12 CHAIR KMETZ:

13 All those in favor? Opposed?
14 Abstentions?

15 [The motion carried unanimously.]

16 ***

17 MS. PACHTER SCHULDER:

18 Is there a motion to approve the
19 following Consent Agreements, for which
20 there are no recusals, at Case No. 19-
21 51-015950, Case No. 20-51-011690, Case
22 No. 21-51-018697, Case No. 20-51-009615,
23 Case No. 21-51-001676, Case No. 21-51-
24 011333, Case No. 21-51-009552, Case No.
25 21-51-016800, Case No. 19-51-018649,

1 Case No. 21-51-011505, Case No. 21-51-
2 014721, Case No. 21-51-002070, Case No.
3 19-51-007885, Case Nos. 19-51-018587 &
4 21-51-017273, Case No. 20-51-009193,
5 Case No. 19-51-010608, Case No. 19-51-
6 013874, Case No. 21-51-010462, Case No.
7 19-51-007659, and Case No. 21-51-002317?

8 MS. MALADY:

9 So moved.

10 DR. COUGHLIN:

11 Second.

12 CHAIR KMETZ:

13 All those in favor? Opposed?

14 Abstentions?

15 [The motion carried unanimously. The Respondent's
16 name in Case No. 19-51-015950 is Justin Robert Kull,
17 RN; Case No. 20-51-011690 is Dawn Liller Wilkerson,
18 RN; Case No. 21-51-018697, Jessica Margaret Schilling,
19 RN; Case No. 20-51-009615, Nicole S. Soyster, RN; Case
20 No. 21-51-001676, Kelly Ann Mirolli, RN; Case No. 21-
21 51-011333, Marilyn Eaton Hilbert, RN; Case No. 21-51-
22 009552, Matthew Charles Toroney, RN; Case No. 21-51-
23 016800, Kari A. Halaut, CRNP, RN; Case No. 19-51-
24 018649, Alana Fusco, RN; Case No. 21-51-011505,
25 Barbara Zelinka, LPN; Case No. 21-51-014721, Melissa

1 Dickerson, LPN; Case No. 21-51-002070, Ashley Reukauf,
2 LPN; Case No. 19-51-007885, Kelli Ann Powers, RN; Case
3 Nos. 19-51-018587 & 21-51-017273, Donald L. Nardelli,
4 RN; Case No. 20-51-009193, Michele Lee Wills, RN; Case
5 No. 19-51-010608, Shannon M. Snyder, LPN; Case No. 19-
6 51-013874, Barbara E. Ncube, LPN; Case No. 21-51-
7 010462, Tia Graham, RN; Case No. 19-51-007659, Michael
8 David Bragg, RN; and Case No. 21-51-002317, Melissa E.
9 Whalley, RN.]

10 ***

11 MS. PACHTER SCHULDER:

12 Is there a motion to deny the Consent
13 Agreement at item 19, which is Case No.
14 19-51-010781, on the grounds that it is
15 too lenient, for which there are no
16 recusals?

17 CHAIR KMETZ:

18 Looking for a motion?

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 following

5

Consent Agreements, for which members

6

Hertzler, Kerns (Absent), and Luchs are

7

recused, at Case Nos. 21-51-012252 & 21-

8

51-014463, Case No. 21-51-018630, Case

9

No. 21-51-000027, Case No. 21-51-011933,

10

Case No. 21-51-012304, Case No. 21-51-

11

020283, and Case No. 21-51-003132?

12

DR. COUGHLIN:

13

So moved.

14

MS. KIESELHORST:

15

Second.

16

CHAIR KMETZ:

17

All those in favor? Opposed?

18

Abstentions?

19

[The motion carried unanimously. Members Hertzler,

20

Kerns (Absent), and Luchs recused themselves from

21

deliberations and voting on the motions. The

22

Respondent's name at Case Nos. 21-51-012252 & 21-51-

23

014463 is Kathleen M. Koszar, LPN; Case No. 21-51-

24

018630, Natasha Falice, RN; Case No. 21-51-000027,

25

Erin Lee Landry, RN; Case No. 21-51-011933, Laura Mae

1 Singh, RN; Case No. 21-51-012304, Tamika Harris, LPN;
2 Case No. 21-51-020283, Katie Renee Hostetter; LPN, RN;
3 and Case No. 21-51-003132, Caroline King Sweeney, RN.]

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6 MS. PACHTER SCHULDER:

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MS. MALADY:

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DR. COUGHLIN:

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CHAIR KMETZ:

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[The motion carried unanimously.]

20

21

MS. PACHTER SCHULDER:

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25

1 applicant does not have a temporary
2 practice permit?

3 MS. MALADY:

4 So moved.

5 DR. COUGHLIN:

6 Second.

7 CHAIR KMETZ:

8 All those in favor? Opposed?

9 Abstentions?

10 [The motion carried unanimously.]

11 ***

12 MS. PACHTER SCHULDER:

13 Is there a motion to grant the requests
14 to extend the Temporary Practice Permit
15 in the following cases until a Final
16 Adjudication and Order is issued for
17 Fatmatu Bah, Case No. 21-51-009840;
18 Magalie Legagneur, Case No. 21-51-
19 009334; Alice Jajua, Case No. 21-51-
20 009830; and any other applications
21 within that category of TPP holders
22 whose case is currently pending before
23 the hearing examiner or resolution by
24 the Board?

25 MS. MALADY:

1 So moved.

2 MS. LUCHS:

3 Second.

4 CHAIR KMETZ:

5 All those in favor? Opposed?

6 Abstentions?

7 [The motion carried unanimously.]

8 ***

9 [Ann Michele Coughlin, DNP, MBA, RN, Vice Chair,
10 exited the meeting at 3:47 p.m.]

11 ***

12 MS. PACHTER SCHULDER:

13 Is there a motion to grant Kelly Sabo's
14 request for an extension of the 5 years
15 to obtain her MSN based on the
16 information she has provided to the
17 Board and that extension would go into
18 March 22, 2023?

19 MS. MALADY:

20 So moved.

21 MS. LUCHS:

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 grant the Motions
5 to Enter Default, deem the facts
6 admitted and authorize Counsel to
7 prepare Adjudications and Orders in the
8 matters of Rhana Geiger Balousek, RN aka
9 Rhana Leann Geiger, RN, Case No. 19-51-
10 011074; Marissa L. Crile, LPN, Case No.
11 19-51-008969; Ashlee Nichole Emigh, LPN,
12 Case No. 20-51-011663; Aaron O'Connell,
13 RN, Case No. 19-51-002759; and Leslie P.
14 Stempin, RN, Case No. 20-51-005440?

15 MS. MALADY:

16 So moved.

17 MS. HERTZLER:

18 Second.

19 CHAIR KMETZ:

20 All those in favor? Opposed?

21 Abstentions?

22 [The motion carried unanimously.]

23 ***

24 MS. PACHTER SCHULDER:

25 Is there a motion to enter a default,

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MS. PACHTER SCHULDER:

Is there a motion to adopt and correct
the Proposed Report of the Hearing
Examiner in the matter of Marcie Holmes,
LPN, Case No. 20-51-003747?

MS. MALADY:

So moved.

MS. LUCHS:

Second.

CHAIR KMETZ:

All those in favor? Opposed?
Abstentions?

[The motion carried unanimously.]

MS. PACHTER SCHULDER:

Is there a motion to issue a Memorandum
and Order adopting the Proposal of the
Hearing Examiner in the matter of
Jessica Lee Roberts, RN, CRNA, Case No.
21-51-002901?

MS. MALADY:

So moved.

MS. HERTZLER:

Second.

1 CHAIR KMETZ:

2 All those in favor? Opposed?

3 Abstentions?

4 [The motion carried unanimously.]

5 ***

6 MS. PACHTER SCHULDER:

7 Is there a motion to adopt the Draft
8 Adjudications and Orders, for which
9 there are no recusals, of Towana Marie
10 Allen, RN, Case No. 18-51-02605; Marcia
11 Barrett, RN, Case No. 18-51-011722; Dana
12 L. Bashore, LPN, Case No. 21-51-006220;
13 Rena Koch, LPN, Case No. 20-51-001470;
14 Erik Alexander Johnson, RN, Case No. 19-
15 51-002908; Robin Hall, LPN, Case No. 19-
16 51-016054; Michelle Wroblewski, LPN,
17 Case No. 18-51-006624; and Michael
18 William McPhee, RN, Case No. 17-51-
19 01677?

20 MS. MALADY:

21 So moved.

22 MS. LUCHS:

23 Second.

24 CHAIR KMETZ:

25 All those in favor? Opposed?

1 Abstentions?

2 [The motion carried. Member Hunsberger abstained from
3 voting.]

4 ***

5 MS. PACHTER SCHULDER:

6 Is there a motion to adopt the Draft
7 Adjudication and Order in the matter of
8 Beth Anne Wapinsky, LPN, Case No. 18-51-
9 008504, for which member Kerns (Absent)
10 is recused?

11 MS. MALADY:

12 So moved.

13 MS. HERTZLER:

14 Second.

15 CHAIR KMETZ:

16 All those in favor? Opposed?

17 Abstentions?

18 [The motion carried. Member Hunsberger abstained from
19 voting. Member Kerns (Absent) was recused from
20 deliberations and voting on the motion.]

21 ***

22 MS. PACHTER SCHULDER:

23 Is there a motion to adopt the VRP
24 Consent Agreement for Case No. 21-51-
25 015942?

1 MS. MALADY:

2 So moved.

3 MS. KIESELHORST:

4 Second.

5 CHAIR KMETZ:

6 All those in favor? Opposed?

7 Abstentions?

8 [The motion carried unanimously.]

9 ***

10 MS. PACHTER SCHULDER:

11 Is there a motion to grant the extension
12 of provisional status until the end of
13 the examination year for Reading Area
14 Community College?

15 MS. MALADY:

16 So moved.

17 MS. LUCHS:

18 Second.

19 CHAIR KMETZ:

20 All those in favor? Opposed?

21 Abstentions?

22 [The motion carried unanimously.]

23 ***

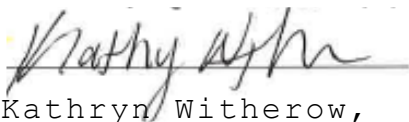
24 MS. PACHTER SCHULDER:

25 Is there a motion to grant an extension

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CERTIFICATE

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



Kathryn Witherow,
Minute Clerk
Sargent's Court Reporting
Service, Inc.

STATE BOARD OF NURSING
REFERENCE INDEX

March 22, 2022

	TIME	AGENDA
1		
2		
3		
4		
5		
6		
7		
8		
9	9:01	Official Call to Order
10		
11	9:01	Introduction of Board Members
12		
13	9:03	Introduction of Attendees
14		
15	9:08	Adoption of Agenda
16		
17	9:08	Report of Prosecutorial Division
18		
19	9:35	Appointment - Pennsylvania Insurance
20		Department "No Surprises Act"
21		Presentation
22		
23	10:00	Regulation Update
24		
25	10:23	Adoption of Minutes
26		
27	10:26	Pennsylvania Legislative Update
28		
29	10:27	Report of Acting Commissioner
30		
31	10:30	Appointment - Reading Area Community
32		College - PN Program
33		
34	10:55	Appointment - Health and Technology
35		Training Institute - PN Program
36		
37	11:24	Appointment - Nurse Board FY 2021-2022
38		Budget Review
39		
40	11:36	PITC Institute Online Curriculum
41		Proposal
42		
43	1:09	Recess
44		
45	1:18	Return to Open Session
46		
47	1:18	University of Pittsburgh Proposal for a
48		Post-Graduate Pediatric Acute Care
49		Nurse Practitioner Certificate
50		Program

STATE BOARD OF NURSING
REFERENCE INDEX
(Cont.)
March 22, 2022

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7	1:24	Mercyhurst University Proposal for
8		Establishment of a Prelicensure
9		Bachelor of Science Degree in Nursing
10		(BSN) Program
11		
12	1:36	Neumann University Proposal for an
13		Adult-Gerontology Acute Care CRNP MSN
14		and Post-Master's Certificate Program
15		
16	1:45	Report of Board Counsel
17		
18	1:53	Report of Committees
19		
20	1:59	Report of Executive Secretary
21		
22	2:08	Old Business
23		
24	2:14	New Business
25		
26	2:20	For the Board's Information
27		
28	2:22	Executive Session
29		
30	3:30	Return to Open Session
31		
32	3:30	Motions
33		
34	3:56	Adjournment
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