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

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

MEETING OF:

STATE BOARD OF NURSING

TIME: 9:12 A.M.

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

as well as

VIA MICROSOFT TEAMS

June 10, 2022

State Board of Nursing
June 10, 2022

ALSO PRESENT: (Cont.)

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7 Janyce L. Collier, MSN, RN, CNE, Nurse
8 Administrator/Financial Aid Administrator, Franklin
9 County Career & Technology Center Practical Nursing
10 Program
11 Misha Patel, Esquire, Government Relations,
12 Pennsylvania Medical Society
13 Jennifer Smeltz, Republican Executive Director,
14 Senate Consumer Protection & Professional Licensure
15 Committee
16 Seth Rolko, Democratic Executive Director, Senate
17 Consumer Protection & Professional Licensure
18 Committee
19 Maggie Johnson RN, MSN, Practical Nursing Coordinator,
20 Northern Tier Career Center
21 Wesley J. Rish, Esquire, Rish Law Office, LLC
22 Tyler Burke, Milliron & Goodman, LLC
23 Andrew Goodman, Milliron & Goodman, LLC
24 Adele Caruso, DNP, CRNP, Penn Medicine, PCNP
25 Dan Atland, Pennsylvania Association of Nurse
26 Anesthetists
27 Shauna Boscaccy, Pennsylvania Association of Nurse
28 Anesthetists
29 Jessica Poole, DNAP, MHS, CRNA, Director of
30 Government Relations, Pennsylvania Association of
31 Nurse Anesthetists
32 Kathleen Rundquist, MSN, RN, Nurse Administrator and
33 Financial Aid Administrator, Franklin County
34 Practical Nursing
35 Louise S. Frantz, RN, Nursing Coordinator, Practical
36 Nursing Program, Penn State Berks
37 Judith Williams, PhD, MSN, MS, RN-BC, Dean of Nursing,
38 Jersey College
39 Kathleen A. Clark, RN, LECOM Senior Living
40 Paige Schurr, EdD, RN, Hunterdon Healthcare
41 Sabrina Ricciardi, Nursing Student, Cedar Crest
42 College School of Nursing
43 Corey Dennis, Interim Program Director, Pennsylvania
44 Institute of Technology Practical Nursing Program
45 Peggy Pearl, Executive Director, Pennsylvania
46 Coalition of Nurse Practitioners
47 Rebecca Seaman, EdD, RN, Nursing Program Director,
48 Centenary University
49 Teresa M. Conte, PhD, CPNP, Chair Department of
50 Nursing, University of Scranton

State Board of Nursing
June 10, 2022

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ALSO PRESENT: (Cont.)
Jarrett Smith, Legislative Director, SEIU Healthcare
Pennsylvania
Theresa Brown, PhD, BSN, RN
Thanh Hoan Truong
Logan Vonada
Justin
Adrienne
Sally
Andrea Weaver
Susan Patel

1 ***

2 State Board of Nursing

3 June 10, 2022

4 ***

5 The regularly scheduled meeting of the State
6 Board of Nursing was held on Friday, June 10, 2022.
7 Linda L. Kmetz, PhD, RN, Chair, called the meeting to
8 order at 9:12 a.m.

9 ***

10 Roll Call of Board Members

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

13 ***

14 Introduction of Board Staff

15 [Wendy J. Miller, MSN, RN, Executive Secretary,
16 identified Board staff.]

17 ***

18 Introduction of Board Counsel

19 [Carole Clarke Smith, Esquire, Senior Counsel,
20 identified members of Board Counsel.]

21 ***

22 Introduction of Board Prosecution

23 [T'rese Evancho, Esquire, Board Prosecution Liaison,
24 identified members of Prosecution.]

25 ***

1 Introduction of Audience Members

2 [Cynthia K. Miller, Board Administrator, introduced
3 audience members.]

4 ***

5 [Judith Pachter Schulder, Esquire, Board Counsel,
6 reminded everyone that the meeting was being recorded
7 and voluntary participation constitutes consent to be
8 recorded.]

9 ***

10 Adoption of the Agenda

11 CHAIR KMETZ:

12 The agenda is before you. Any additions
13 or corrections? Hearing none, may I
14 have a motion for approval?

15 DR. COUGHLIN:

16 So moved.

17 MS. MALADY:

18 Second.

19 CHAIR KMETZ:

20 All in favor? Opposed? Abstentions?

21 [The motion carried unanimously.]

22 ***

23 Adoption of Minutes of May 5, 2022

24 [Judith Pachter Schulder, Esquire, Board Counsel,
25 noted the minutes would be on the next agenda.]

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Report of Prosecutorial Division

[Chair Kmetz noted VRP Consent Agreement items 2 through 13, with item 6 being withdrawn.]

[Chair Kmetz noted Ms. Tucker's items 26 through 28.]

[Chair Kmetz noted Ms. Bellfy's item 14.]

[Chair Kmetz noted Ms. Boyd's items 15 and 16.]

[Chair Kmetz noted Ms. Evancho's items 17 through 21.

Ms. Evancho thanked Board members for allowing her and Mr. Newport to attend the National Council of State Boards of Nursing (NCSBN) Discipline Case Management Conference in Milwaukee last month. She noted it was informative and inspiring to meet with people facing the same issues but working toward the same goal of public protection.

Ms. Pachter Schulder asked whether drug or alcohol monitoring differs from Pennsylvania.

Ms. Evancho noted that most states have three- or five-year monitoring programs with a lot of the issues being the same.

Ms. Evancho mentioned it was beneficial to see a

1 panel with Medical Review Officers (MROs) and how that
2 works, along with seeing how states are dealing with
3 different testing issues. She commented that
4 Pennsylvania seems to be on par with the rest of the
5 country.]

6

7 [Chair Kmetz noted Mr. Schertz's item 22.]

8

9 [Chair Kmetz noted Mr. Sniscak's items 23, 24, and
10 86.]

11

12 [Chair Kmetz noted Ms. Szymanski's item 25.]

13

14 Appointment - Geisinger-Lewistown Hospital School of
15 Nursing Proposal for Transition of the Diploma RN
16 Program to an Associate of Science Degree in
17 Nursing (ADN) Program

18 [Beth Finkbiner, MSN, RN, Interim Program Director;
19 Anna Arvay, CPA, MBA, Vice President for Finance &
20 Administration and Chief Financial Officer;
21 Rebecca Stout, DNP, PhD, CRNA, Associate Dean of
22 Nursing Student Education; and Stacey Osborne, DNP,
23 MSN, RN, NEA-BC, Chief Nursing Officer, appeared
24 before the Board on behalf of Geisinger-Lewistown
25 Hospital School of Nursing.

1 Dr. Stout reported having the Geisinger-Lewistown
2 Hospital School of Nursing (GLHSON) Diploma Program
3 since 2005. Dr. Stout noted the program is an 88-
4 credit course load over 6 consecutive semesters and
5 they retain about 70 percent of each class. She
6 stated the program continues to receive widespread
7 community and system support.

8 Dr. Stout noted that Geisinger intends to
9 strengthen its program by adding an associate degree
10 program. She informed the Board members that the
11 Department of Education has already deemed that
12 Geisinger could award an associate degree.

13 Dr. Stout noted the program has already been
14 approved by the Geisinger Board and School of Medicine
15 Board and would move forward upon Board approval with
16 the Geisinger College of Health Sciences, along with
17 the School of Nursing, School of Medicine, and School
18 of Graduate Studies.

19 Dr. Stout addressed the curriculum and working
20 with a consultant from Assessment Technologies
21 Institute (ATI). She reported the curriculum has been
22 streamlined from 88 credits to 70 credits by removing
23 redundancy based on the Next Generation test, Quality
24 and Safety Education for Nurses (QSEN), and student
25 feedback. She noted Geisinger would be offering six

1 consecutive semesters with a one-year option for LPN-
2 RN students.

3 Dr. Stout stated the last students would enter
4 August 2022, graduate in 2024, and the diploma program
5 would close leaving only the associate degree program
6 with the first class in January 2024 of 25 students.
7 She noted Geisinger has the clinical capacity, has
8 committed significant financial resources for the
9 associate degree, and has purchased a building in
10 Lewistown that would have everything in one unit.

11 Dr. Stout mentioned pairing transition to
12 practice with their own staff nurses and promoting
13 professional education through simulation, along with
14 lowering student cost.

15 Chair Kmetz requested information regarding
16 managing students who may not be able to finish before
17 the diploma program closes.

18 Dr. Stout explained that students could transfer
19 to the associate degree program. She mentioned having
20 a lot of community and internal interest from people
21 who would like to make a leap to education and would
22 like to offer it to their own staff nurses.

23 Judith Pachter Schulder informed the Geisinger-
24 Lewistown School of Nursing that the Board would be
25 discussing their proposal during Executive Session and

1 welcomed them to stay for the determination
2 afterwards. She also noted they could contact their
3 Education Advisor for the final decision.]

4

5 Appointment - Alvernia University Proposals for Family
6 Health and Adult-Gerontology Primary Care MSN CRNP
7 Programs

8 [Deborah Greenawald, PhD, MSN, RN, Nursing Department
9 Chair; Mary Ellen Symanski, PhD, MSN, RN, Director,
10 Graduate Nursing Programs; and Glynis Fitzgerald, PhD,
11 Senior Vice President and Provost, Alvernia
12 University, appeared before the Board to present
13 Alvernia University's two program proposals for a
14 Master of Science in Nursing level educational degree,
15 especially for primary care family nurse practitioner
16 and adult-gerontology nurse practitioner.

17 Dr. Greenawald noted the distinguishing features
18 would be the additional required education and
19 pediatric and women's health content areas and the
20 additional clinical hours for the family nurse
21 practitioner and program completion compared to the
22 adult-gerontology nurse practitioner. She pointed out
23 that Alvernia University already has a successful
24 program post-baccalaureate through a Doctor of Nursing
25 practice degree.

1 Dr. Greenawald addressed community interest,
2 including students and employers, noting it would
3 benefit both students and health care systems by
4 offering advanced clinical nursing education at a
5 master's degree academic level. She stated the
6 majority of the clinical coursework for the nurse
7 practitioner education is very much the same as they
8 are implementing right now with a few additions and
9 small changes and the inclusion of a Master of Science
10 in Nursing (MSN) capstone project and course.

11 Dr. Symanski added that Alvernia has existing
12 master's programs with education and leadership focus.

13 She noted the program would be able to utilize
14 clinical nurse practitioner courses and offer the
15 other option for those who do not wish to continue on
16 for the doctoral preparation.

17 Dr. Symanski stated this would allow individuals
18 to resume education toward a Doctor of Nursing
19 practice (DNP) after the MSN is earned and people
20 become licensed as certified registered nurse
21 practitioners (CRNPs) in the commonwealth.

22 Ms. Pachter Schulder informed Alvernia University
23 that the Board would be discussing their proposal
24 during Executive Session and welcomed them to stay for
25 the determination. She also noted they could contact

1 their Nursing Education Advisor for the final
2 decision.]

3

4 Appointment - Villanova University Proposal for
5 Psychiatric Mental Health MSN and Post-Master's
6 Certificate Programs

7 [Donna Havens, PhD, RN, FAAN, Dean, M. Louise
8 Fitzpatrick College of Nursing; Marguerite Schlag,
9 EdD, RN, Associate Dean of Graduate Nursing Programs;
10 and Elizabeth Blunt, PhD, RN, CRNP, FNP-BC, Director
11 of Nurse Practitioner Programs, presented Villanova
12 University's proposals for consideration to open a
13 psychiatric mental health MSN and post-master's
14 certificate programs.

15 Dr. Schlag stated the Villanova University M.
16 Louise Fitzpatrick College of Nursing has been open
17 for 25 years providing excellent nurse practitioner
18 programs.

19 Dr. Schlag commented that the need for mental
20 health services is increasing and is looking to offer
21 a master's level and postmaster's certificate level
22 psychiatric mental health nurse practitioner program.

23 Dr. Schlag noted the program consists of a 47-
24 credit Psychiatric Mental Health Nurse Practitioner MSN
25 with 730 hours in clinical. She also noted Villanova

1 University is proposing a post-master's certificate
2 anywhere from 25 to 36 credits because of an increased
3 need for nurse practitioners in those service areas.

4 Dr. Blunt stated Dr. Lakeetra Josey, a psychiatric
5 mental health nurse consultant, helped develop the
6 curriculum. She noted the second mental health nurse
7 practitioner program mirrors their existing primary
8 care programs in pediatrics, adult-gerontology, and
9 family.

10 Dr. Blunt addressed health care partners'
11 requests for the program and discussion about their
12 willingness to commit sending some of their nurses to
13 the program.

14 Chair Kmetz asked whether Villanova is having any
15 difficulty finding preceptors. It was noted that
16 Villanova's goal is for clinical and community
17 partners, where they all said yes and would provide
18 preceptors. Main Line Health recently opened new
19 psychiatric mental health units and is a big
20 supporter.

21 Ms. Pachter Schulder informed Villanova
22 University that the Board would be discussing their
23 proposal during Executive Session and welcomed them to
24 stay for the determination. She also noted they could
25 contact their Nursing Education Advisor for the final

1 decision.]

2

3 Regulation Update

4 [Judith Pachter Schulder, Esquire, Board Counsel,
5 addressed 16A-5139 regarding the Volunteer License
6 regulations, noting that package will be done as a
7 group with the other Boards. Ms. Pachter Schulder
8 addressed 16A-5141 regarding Nursing Education
9 Programs. She noted that the Annex was adopted at the
10 Board's January meeting. The opioid curriculum that
11 the Board will discuss later in the meeting can be
12 added to the regulations.

13 Ms. Pachter Schulder addressed 16A-5143 regarding
14 Continued Competency and Licensure by Endorsement
15 under 63 Pa.C.S. § 6311, formerly Act 41, to reflect
16 the consolidating nature of the statute. She stated
17 the regulation was sent for review to the Governor's
18 Offices of Budget, General Counsel and Policy on June
19 9th.

20 Ms. Pachter Schulder referred to agenda item 32
21 regarding a letter from the House and Senate Majority
22 Chairs seeking input concerning Act 41 regulations.
23 She noted the Board has implemented the Act 41
24 licensure requirements where possible; however, since
25 the Acts permit the issuance of temporary practice

1 permits to graduates who just finished nursing
2 programs and to licensees by endorsement, there have
3 not been many applicants who have sought a license
4 under former Act 41. She noted that under 63 Pa.C.S.
5 § 6311, applicants must demonstrate that they had
6 practiced nursing for at least 3,600 hours within two
7 of the last five years.

8 Ms. Pachter Schulder addressed 16A-5144 regarding
9 CRNP Statement of Policy and noted that the Preamble
10 and Annex were being reviewed by Regulatory Counsel.
11 Thereafter, they will be forwarded to the Governor's
12 Offices of Budget, General Counsel and Policy for
13 review.

14 Ms. Pachter Schulder noted 16A-5145 regarding
15 CRNA Licensure and 16A-5146 regarding Additional
16 Continuing Education would be discussed later in the
17 meeting.

18 Ms. Pachter Schulder addressed 16A-5147 regarding
19 the Nurse Licensure Compact. She mentioned continuing
20 to develop a fee for implementation of that
21 regulation, work being done to solve the statutory
22 language relating to the fingerprint-based FBI
23 background check and technology issues. She also noted
24 that the FBI had a major concern with the sharing of
25 information.

1 Ms. Pachter Schulder stated that states that have
2 enacted the NLC had already enacted legislation that
3 authorizes the FBI criminal background check. She
4 mentioned discussions about whether the Compact can be
5 effectuated with the existing licensure system while
6 the NLC issues are resolved. She commented that the
7 Board is not going to be able to issue multistate
8 licenses to Pennsylvania licensees until the
9 legislation is fully implemented.

10 Ms. Pachter Schulder referred to the Bureau of
11 Professional and Occupational Affairs (BPOA)
12 regulation regarding Crimes directly related to the
13 profession, which has been sent to the Governor's
14 Offices of Budget, General Counsel and Policy for
15 review.]

16 ***

17 Pennsylvania Legislative Update - Legislation
18 Affecting Nurses/Nursing

19 [Judith Pachter Schulder, Esquire, Board Counsel,
20 informed Board members that House Bill 889 was
21 presented to Governor Wolf on June 7 for his
22 signature. The new Act allows foreign nursing
23 students to take the registered nurse (RN) licensing
24 exam without being licensed in another country and
25 will go into effect in 60 days once signed. She also

1 noted the Practical Nurse (PN) Law currently permits
2 individuals to take the exam without being licensed in
3 another country.

4 Ms. Pachter Schulder addressed House Bill 2590,
5 which would change the way applications are received
6 and processed.

7 Ms. Pachter Schulder addressed Senate Bill 848
8 regarding the Chief Nursing Officer (CNO). She
9 mentioned that the CNO would assume an RN seat on the
10 Board and that all of the licensing boards within the
11 Bureau would pay for the Office of the CNO.

12 Ms. Linda Kerns requested information concerning
13 vacancies, noting she is the only public member. Danie
14 Bendesky, Director of Intergovernmental Affairs,
15 Department of State, noted they started a biweekly
16 working group to streamline the process of filling
17 vacancies for Board members but did not have any
18 specific information on any nominations.]

19 ***

20 Report of Board Chairperson

21 [Linda L. Kmetz, PhD, RN, Chair, thanked everybody for
22 their well-wishes after her surgery and plans to be in
23 Harrisburg for the July Board meeting.]

24 ***

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

1 Regulation

2 [Judith Pachter Schulder, Esquire, Board Counsel,
3 reminded the Board that Act 124 of 2016 requires CRNPs
4 with prescriptive authority to complete 2 hours of
5 opioid education within 5 years of licensure. She
6 also referred to Act 126 of 2016, Achieving Better
7 Care by Monitoring All Prescriptions Program (ABC-MAP)
8 that requires the Board to have developed and adopt an
9 opioid and prescribing curriculum for nursing
10 education programs.

11 ABC-MAP required opioid education and required
12 the Bureau contract to have written opioid education
13 and that opioid education be available to everyone.
14 Ms. Pachter Schulder directed the Board to the PA-
15 SUPPORT curriculum at Item #47 and advised that even
16 though it was developed, it was never adopted by the
17 Board. Programs can choose to incorporate the PA-
18 SUPPORT curriculum within their program or simply
19 pirate it as their opioid curriculum.]

20 MS. PACHTER SCHULDER:

21 As part of our Nursing Education Program
22 regulations, we do have the requirement
23 for opioid education for CRNPs. I would
24 like to ask first, is there a Board
25 member who would make a motion to adopt

1 the PA-SUPPORT curriculum as part of the
2 opioid education curriculum and post
3 this on the Board's website, where
4 programs could take what they deem
5 relevant from the curriculum that has
6 already been developed?

7 MS. MALADY:

8 So moved.

9 MS. VINCENT:

10 Second.

11 CHAIR KMETZ:

12 All in favor? Opposed? Abstentions?

13 [The motion carried unanimously.]

14 ***

15 MS. PACHTER SCHULDER:

16 Would you be willing to amend the Annex
17 that the Board approved for the Nursing
18 Education Programs to include as part of
19 the opioid curriculum a reference to the
20 approved PA-SUPPORT opioid curriculum?

21 MS. MALADY:

22 So moved.

23 MS. HERTZLER:

24 Second.

25 CHAIR KMETZ:

1 All in favor? Opposed? Abstentions?

2 [The motion carried unanimously.]

3

4 Ms. Pachter Schulder referred the Board to the Annex
5 for the CRNA Licensure regulation (16A-5145) in item
6 #34 and the comments received by the Pennsylvania
7 Association of Nurse Anesthetists (PANA), the
8 Pennsylvania Society of Anesthesiologists (PSA),
9 Cheryl Schlamb, Lincoln Tech, and Deborah Little,
10 Lincoln Tech.

11 In light of Act 60 of 2021 enabling the licensure
12 and recognition of CRNAs, § 21.17 is being removed and
13 a separate chapter is being added for CRNAs. She
14 noted that PANA sought amendment to the definitions in
15 § 21.1001 and throughout, replacing references to the
16 "American Association of Nurse Anesthetists" with the
17 "American Association of Nurse Anesthesiology" and
18 removing references to the "Council on Certification
19 and Recertification for Nurse Anesthetists" with the
20 "National Board of Certification and Recertification
21 for Nurse Anesthetists," and finally, replacing
22 references to the "Council on Accreditation" with the
23 "Council on Accreditation of Nurse Anesthesia
24 Educational Programs." Both PANA and PSA also pointed
25 out spelling mistakes to the words medical and

1 country.

2 Ms. Pachter Schulder noted that the biennial
3 renewal fee of \$79 is being added to § 21.1002.

4 Ms. Pachter Schulder referred to CRNA practice in
5 § 21.1020, noting that PSA recommended adding "for
6 which anesthesia care is being provided" throughout
7 subsection (a). PSA also recommended that the Board
8 replace "In the event of an emergency that temporarily
9 prevents or interferes with overall direction, a CRNP
10 may provide brief periods of care" with "Nothing in
11 this section shall be construed to prohibit a CRNA who
12 would otherwise require direction from providing brief
13 periods of care in the event of an emergency that
14 temporarily prevents or interferes with overall
15 direction" subsection (b).

16 PANA recommended that subsection (c) be deleted
17 because the scope of practice for the CRNA in Act 60
18 did not require the presence of an anesthesiologist
19 for the consulting physician. Dan Atland explained
20 that the physician performing the procedure is
21 providing the overall direction required by Act 60.
22 The Board agreed.

23 Ms. Pachter Schulder stated that PANA and PSA
24 recommend different changes to § 21.1021 relating to
25 CRNA standards of conduct. PANA recommended deleting

1 (a), revising (b) to include a reference to § 21.18
2 and renumbering (c). PSA recommended that (b) be
3 broken into separate components and include the
4 requirement that the CRNA be credentialed to perform
5 the procedure in the health care facility in which the
6 procedure is being performed. PANA objected to the
7 inclusion of the credentialing clause because that
8 could be an additional requirement of a particular
9 health care facility, but it is not a requirement for
10 all facilities.

11 For subsection (a), Ms. Pachter Schulder stated
12 CRNA practice cannot be limited to only those services
13 that comprise the practice of professional nursing as
14 defined in section 2(1) of the Professional Nursing
15 Law. She also noted that a CRNA cannot avoid the
16 standards in § 21.18 because the CRNA holds both the
17 RN license and CRNA certification and that a statement
18 could be made in the Preamble that the CRNA still has
19 to comply with the standards of conduct for RNs. The
20 Board concurred with PANA's recommendations and will
21 delete (a), revise (b) to include a reference to §
22 21.18 and renumber (c). The Board also agreed that
23 adding the credentialing clause was not required under
24 Act 60.

25 Ms. Pachter Schulder referred to § 21.1031,

1 involving continuing education requirements and
2 explained that this provision is identical to those
3 for CRNPs and Clinical Nurse Specialists (CNSs), where
4 a CRNA who does not meet the biennial renewal
5 requirements is subject to discipline and could
6 request a waiver. PANA recommended that subsection
7 (b) indicate that the CRNA CE was in lieu of meeting
8 the RN continuing education requirement in section
9 2.1(b) of the Professional Nursing Law. It explained
10 that the purpose of the comment was to make it clear
11 that CRNAs did not have to do 30 hours for RN and
12 another 30 hours for CRNA and changing the language to
13 say that it satisfies both is fine.

14 Ms. Pachter Schulder referred to PANA's comment
15 to § 21.1040(1) regarding penalties for violation to
16 correct the typographical error that references the
17 CNS provisions in the Professional Nursing Law and
18 remove the reference in Paragraph (2) to Section 2(1)
19 of the Law as discussed earlier. The Board agreed to
20 remove (2). PSA recommended that the provision also
21 include "performance" in Paragraph (1). The Board
22 concurred.

23 Ms. Pachter Schulder noted removing the word
24 "her" to be gender neutral as recommended by Cheryl
25 Schlamb and Deborah Little.

1 Ms. Pachter Schulder addressed the definition of
2 "overall direction" in § 21.1001 and PSA's and PANA's
3 recommendations. She noted PANA's request to add the
4 word "present," and PSA's recommendation to add the
5 word "medical."

6 Andrew Goodman, Managing Partner, Milliron &
7 Goodman, LLC, expressed concern with getting rid of
8 the requirement of phone communication and/or a
9 physician who is not necessarily present and suggested
10 continued discussion occur before any decisions and
11 recommended keeping the section the same.

12 Tyler Burke, Associate, Milliron & Goodman, LLC,
13 requested a discussion regarding PANA's comments to
14 remove subsection (c) due to patient safety. He said
15 that patient safety was discussed on the floor of the
16 House and was included in the House Journal.

17 Jessica Poole and Dan Atland stated that
18 anesthesiologist supervision did not make it into the
19 bill when the Senate approved it, so remarks from the
20 House and floor are not determinative. Ms. Poole
21 explained that Section 8.9 of the Professional Nursing
22 Law was amended to provide that anesthesia services
23 must be performed under the overall direction of a
24 physician who completed an accredited residency
25 training program in anesthesiology, a physician

1 performing the procedure for which the certified
2 registered nurse anesthetist is performing anesthesia
3 services, and a podiatrist or dentist who is
4 performing the procedure for which the CRNA is
5 performing anesthesia services. She insisted that
6 requiring another layer of direction would be contrary
7 to the statute in the scope of practice of the CRNA.
8 Board members discussed suggested intent versus the
9 specific words in the statute.

10 Ms. Pachter Schulder provided an option for Board
11 members to adopt the proposed regulation or not make
12 any motion and offered to provide sections from the
13 journal for the Board's review. The Board decided to
14 have Ms. Pachter Schulder make all of the other
15 changes discussed and the only other issue left to
16 discuss for the next meeting would be "overall
17 direction."

18 Ms. Pachter Schulder addressed 16A-5146 relating
19 to organ and tissue donation and opioid continuing
20 education. She referred to Act 90 of 2018 requiring
21 RNs, CRNPs, CRNAs, and CNSs to take organ and tissue
22 donation education one time within five years of
23 initial licensure or within five years of licensure
24 renewal. She also referred to Act 126 of 2016
25 requiring opioid education for CRNPs with prescriptive

1 ***

2 Application Review Committee

3 [Kristin Malady, BSN, RN, noted meeting via email
4 several times and moving applications forward.]

5 ***

6 Advanced Practice - Education, Regulation, &
7 Application Committee - No Report

8 ***

9 RN/PN Practice, Education, & Regulation Committee
10 [Linda L. Kmetz, PhD, RN, Chair, noted several
11 discussions during the meeting.]

12 ***

13 Dietitian-Nutritionist Committee

14 [Judith Pachter Schulder, Esquire, Board Counsel,
15 referred to discussion by the Commission on Dietetic
16 Registration about offering a Spanish version of the
17 dietitian examination.

18 Unlike the requirement for English language
19 proficiency (ELP) for RNs and LPNs, there is no ELP
20 requirement for licensed dietitian-nutritionists
21 (LDN). Ms. Pachter Schulder explained that the
22 validity and reliability of the LDN examination is up
23 to the Commission on Dietetic Registration (CDR).

24 Ms. Pachter Schulder stated that for LDNs, the
25 Board reviews their education and accepts their

1 examination scores. The CDR verifies passage of
2 examination and takes responsibility for its
3 psychometric soundness.

4 Ms. Pachter Schulder stated on a sidenote that
5 NCSBN is considering whether to have the NCLEX® in
6 Spanish but that it is not the role of the Board and
7 would also be the response to CDR regarding Spanish
8 language proficiency.

9 The Board would respond to the CDR that our law
10 and regulations do not require English language
11 proficiency under the LDN provisions and the Board
12 depends on them for the psychometric soundness exam.]

13

14 IT & Communication Issues Committee - No Report

15

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

18 [Linda L. Kmetz, PhD, RN, Chair, informed everyone
19 that she attended the NCLEX® Item Writing Review
20 Subcommittee virtually on June 1 and 2, where 1,300
21 items were reviewed consisting of Next Generation and
22 regular items.]

23

24 Report of Executive Secretary

25 [Wendy J. Miller, MSN, RN, Executive Secretary,

1 reminded everyone that the LPN renewal is open until
2 June 30. She reported 51.46 percent of LPNs have
3 renewed and encouraged LPN colleagues to make sure
4 they get their child abuse continuing education done
5 and their renewal submitted before the deadline.

6 Ms. Miller commented that Board staff has worked
7 tirelessly to maintain or improve processing times for
8 all license and renewal types. She reported the
9 longest process time is for people applying for
10 licensure by endorsement of a license in another state
11 or country. She reported staff is now around five
12 weeks for initial evaluation and reevaluation with
13 submission of any additional documentation.

14 Ms. Miller also reported education advisors and
15 practice advisors worked very hard on curriculum
16 changes and new program proposals with time frames
17 around a few weeks within submission of a document.

18 Ms. Miller announced Kelly Hoffman, MSN, RN,
19 would be leaving the Board on June 16 and thanked her
20 for all of the hard work and dedication to the Board.

21 Ms. Miller noted Ms. Hoffman has an announcement
22 posted for education programs that includes contact
23 information for Linda Groce, who will be available by
24 email and telephone for those who need help.

25 Ms. Miller addressed prelicensure nursing

1 education programs, noting the Board and
2 administration are very invested in trying to help
3 graduates know how to avoid delays when they apply and
4 to help their faculty understand the process so they
5 can help guide students. She announced that she and
6 Acting Commissioner Claggett would be visiting schools
7 starting in August to discuss with faculty or
8 graduates how to apply.

9 Ms. Miller mentioned that resources are available
10 on the website but do not seem very effective. She
11 noted the importance of explaining the process and
12 answering questions. She stated educating faculty
13 would be the most direct route to getting to all of
14 the students and future graduates.]

15 Chair Kmetz commented that the graduates get hung
16 up with the fact that they apply so early and think it
17 is instantaneous when they graduate. Ms. Miller
18 commented that while prospective PA graduates may
19 apply 90 days prior to graduation, the Board cannot
20 process an application until the education
21 verification is received from the programs.]

22

23 [Linda L. Kmetz, PhD, RN, Chair, exited the meeting at
24 11:48 a.m. for recusal purposes.]

25

1 VICE CHAIR COUGHLIN ASSUMED THE CHAIR

2 ***

3 Old Business - West Penn Hospital School of Nursing
4 Proposal

5 [Judith Pachter Schulder, Esquire, Board Counsel,
6 stated the Board discussed West Penn Hospital's
7 request for an additional RN Diploma Program for
8 evening and weekend part-time cohorts at the last
9 meeting. She noted it was brought back to the agenda
10 for the Board to consider whether to at least let them
11 start to collect a list of who might be interested in
12 their program.]

13 MS. PACHTER SCHULDER:

14 We need a motion to permit West Penn
15 Hospital School of Nursing to collect
16 information for those who would be
17 interested in their program.

18 MS. MALADY:

19 So moved.

20 MS. HERTZLER:

21 Second.

22 VICE CHAIR COUGHLIN:

23 All those in favor? Opposed?

24 Abstentions?

25 [The motion carried. Linda Kmetz recused herself from

1 deliberations and voting on the motion.]

2 ***

3 [Linda L. Kmetz, PhD, RN, Chair, reentered the meeting
4 at 11:51 a.m.]

5 ***

6 CHAIR KMETZ RESUMED THE CHAIR

7 ***

8 New Business

9 [Judith Pachter Schulder, Esquire, Board Counsel,
10 addressed international NCLEX® testing, noting NCSBN
11 is at 100 percent capacity in several countries but
12 could increase capacity if NCSBN was notified that
13 additional hours were needed. It was also noted that
14 only a few countries were operating at less than 100
15 percent capacity, and the remainder of the
16 international testing centers are at 100 percent with
17 any pandemic-related testing delays being quickly
18 cleared.

19 Chair Kmetz announced she was selected on the
20 Slate of Candidates for the Leadership Succession
21 Committee for Area IV at the 2022 NCSBN Annual Meeting
22 and requested several other members attend.]

23 DR. COUGHLIN:

24 I'll make the motion for up to five
25 people to attend the Annual NCSBN

1 Meeting in August.

2 MS. MALADY:

3 So moved.

4 CHAIR KMETZ:

5 All those in favor? Opposed?

6 Abstentions?

7 [The motion carried unanimously.]

8 ***

9 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
10 12:00 p.m., the Board entered into Executive Session
11 with Judith Pachter Schulder, Esquire, Board Counsel;
12 Carole Clarke Smith, Esquire, Board Counsel; Ariel
13 O'Malley, Esquire, Board Counsel; Todd Kriner,
14 Esquire, Board Counsel; and Megan E. Castor, Esquire,
15 Board Counsel, for the purpose of conducting quasi-
16 judicial deliberations on the matters on the agenda
17 under the Report of Board Counsel, Report of
18 Prosecutorial Division, and Appointments. The Board
19 returned to Open Session at 12:47 p.m.]

20 ***

21 MOTIONS

22 MS. PACHTER SCHULDER:

23 During Executive Session, the Board
24 engaged in quasi-judicial deliberations
25 on the matters listed on the agenda

1 under the Report of Prosecutorial
2 Division, Report of Board Counsel, and
3 Appointments.

4 Board members who recuse themselves
5 will identify themselves during the
6 various motions.

7 Is there a motion to adopt the VRP
8 Consent Agreements at items 2 through 5
9 and 7 through 13?

10 DR. COUGHLIN:

11 So moved.

12 MS. VINCENT:

13 Second.

14 CHAIR KMETZ:

15 All those in favor? Opposed?

16 Abstentions?

17 [The motion carried unanimously. Item 6 was
18 withdrawn.]

19 ***

20 MS. PACHTER SCHULDER:

21 Is there a motion to adopt the following
22 cases, for which there are no recusals,
23 at Case No. 22-51-003219, Case No. 19-
24 51-014085, Case No. 21-51-018877, 20-51-
25 011355, and Case No. 16-51-05736?

1 DR. COUGHLIN:

2 So moved.

3 MS. VINCENT:

4 Second.

5 CHAIR KMETZ:

6 All those in favor? Opposed?

7 Abstentions?

8 [The motion carried unanimously. The Respondent's
9 name in Case No. 22-51-003219 is Jacques G. Wagner,
10 RN, LPN; Case No. 19-51-014085, Karen S. Palmer, RN;
11 Case No. 16-51-05736, Mark B. Weyant, RN; Case No. 21-
12 51-018877, Michelle Robyn Michalowski, RN; and Case
13 No. 20-51-011355, Erica Lawal, RN.]

14 ***

15 MS. PACHTER SCHULDER:

16 Is there a motion to adopt the following
17 Consent Agreements, for which members
18 Hertzler and Kerns are recused, at Case
19 Nos. 21-51-007776 & 21-51-015268, Case
20 No. 21-51-015523, Case No. 20-51-002050,
21 Case No. 20-51-009110, Case No. 21-51-
22 008325, Case No. 22-51-001793, Case No.
23 21-51-014415, and Case No. 22-51-000550?

24 MS. VINCENT:

25 So moved.

1 DR. COUGHLIN:

2 Second.

3 CHAIR KMETZ:

4 All those in favor? Opposed?

5 Abstentions?

6 [The motion carried. Members Hertzler and Kerns
7 recused themselves from deliberations and voting on
8 the motion. The Respondent's name in Case Nos. 21-51-
9 007776 & 21-51-015268 is Shane Patrick Cohill, RN;
10 Case No. 21-51-015523, Theresa A. Eiser-Brown, CRNP,
11 RN; Case No. 20-51-002050, Lashawna Veronica Aikens,
12 LPN; Case No. 20-51-009110, Tiffany A. Small, LPN;
13 Case No. 21-51-008325, Kristin Joy Ewing, RN; Case No.
14 22-51-001793, Tina Marie Williams, RN; Case No. 21-51-
15 014415, Rochelle Elizabeth Lynn, LPN; and Case No. 22-
16 51-000550, Stacey M. Williams, RN.]

17 ***

18 MS. PACHTER SCHULDER:

19 Is there a motion to adopt the Consent
20 Agreement at Case No. 22-51-001977, for
21 which members Hertzler, Kerns, and
22 Hunsberger are recused?

23 DR. COUGHLIN:

24 So moved.

25 MS. MALADY:

1 MS. PACHTER SCHULDER:

2 Is there a motion to reject the Consent
3 Agreement at Case No. 20-51-012571?

4 MS. MALADY:

5 So moved.

6 DR. COUGHLIN:

7 Second.

8 CHAIR KMETZ:

9 All those in favor? Opposed?

10 Abstentions?

11 [The motion carried unanimously.]

12 ***

13 MS. PACHTER SCHULDER:

14 Is there a motion to deny the request of
15 Donokhon Nuridinova to waive the English
16 Language Proficiency Exam?

17 MS. HERTZLER:

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 MS. PACHTER SCHULDER:

2 At Case No. 20-51-003169, which is a VRP
3 Agreement, is there a motion to deny?

4 MS. MALADY:

5 So moved.

6 DR. COUGHLIN:

7 Second.

8 CHAIR KMETZ:

9 All those in favor? Opposed?

10 Abstentions?

11 [The motion carried unanimously.]

12 ***

13 MS. PACHTER SCHULDER:

14 Is there a motion to issue a Memorandum
15 Order granting a license in the matter
16 of Krista Silverman, Case No. 22-51-
17 001053?

18 MS. KIESELHORST:

19 So moved.

20 MS. VINCENT:

21 Second.

22 CHAIR KMETZ:

23 All those in favor? Opposed?

24 Abstentions?

25 [The motion carried unanimously.]

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MS. PACHTER SCHULDER:

Is there a motion to enter default, deem facts admitted and authorize Counsel to prepare Adjudications and Orders in the matters of Patricia Lewis, RN, Case No. 19-51-002800; Elizabeth K. Koryak, RN, Case No. 19-51-009553; Kimberly Nicole Lahman, LPN, Case No. 19-51-011014; and Renae Wise, LPN, Case No. 19-51-002368?

MS. MALADY:

So moved.

DR. COUGHLIN:

Second.

CHAIR KMETZ:

All those in favor? Opposed?

Abstentions?

[The motion carried unanimously.]

MS. PACHTER SCHULDER:

Is there a motion to authorize Counsel to prepare Adjudications and Orders in the matters of William Floyd Cornell III, RN, Case No. 20-51-000188 and Michelle Lynn Kriess, RN, Case No. 21-

1 51-008075, for which members Hertzler
2 and Kerns are recused?

3 MS. MALADY:

4 So moved.

5 MS. VINCENT:

6 Second.

7 CHAIR KMETZ:

8 All those in favor? Opposed?

9 Abstentions?

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

13 ***

14 MS. PACHTER SCHULDER:

15 Is there a motion to authorize Counsel
16 to prepare Adjudications and Orders in
17 the matters of Matthew J. Gastner, LPN,
18 Case No. 19-51-014595, and Sara
19 Nathanson, RN, Case No. 19-51-009221?

20 MS. MALADY:

21 So moved.

22 MS. HERTZLER:

23 Second.

24 CHAIR KMETZ:

25 All those in favor? Opposed?

1 Abstentions?

2 [The motion carried unanimously.]

3 ***

4 MS. PACHTER SCHULDER:

5 Is there a motion to adopt the Draft
6 Adjudications and Orders, for which
7 there are no recusals, in the matters of
8 Susan Carutis, LPN, Case No. 20-51-
9 009342; Janelle Gan, RN, Case No. 21-51-
10 004988; Julie Joann Husske, RN, Case No.
11 19-51-008533; Megan M. Kownacky, RN,
12 Case No. 19-51-014257; Sierraashley
13 Lucas, LPN, Case No. 21-51-000938; Mary
14 Lou Morely, RN, LPN, Case No. 19-51-
15 016228; Courtney C. Norris, PN, Case No.
16 18-51-00004; Thomas Stephen Regrut, LPN,
17 Case No. 20-51-006337; Amanda Lynn
18 Rutherford, LPN, Case No. 20-51-008802;
19 Tammy Lynn Wells, RN, Case No. 21-51-
20 002786; and Marissa Crile, LPN, Case No.
21 19-51-008969?

22 MS. MALADY:

23 So moved.

24 MS. VINCENT:

25 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 members Hertzler and Kerns are recused,
10 of Stacy Browne, LPN, Case No. 20-51-
11 011737; Laura Dunleavy, RN, Case No. 21-
12 51-002963; Marlene E. Kepple, LPN, Case
13 No. 19-51-001545; Ronnie Kollar, RN,
14 Case No. 21-51-009883; Edward McFillin,
15 LPN, Case No. 21-51-0004017; Nicole
16 Renee Walls, RN, Case No. 21-51-003149;
17 and Kendra Moneaux White, LPN, Case No.
18 20-51-008347?

19 MS. MALADY:

20 So moved.

21 MS. VINCENT:

22 Second.

23 CHAIR KMETZ:

24 All those in favor? Opposed?

25 Abstentions?

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

4 ***

5 MS. PACHTER SCHULDER:

6 Is there a motion to adopt the Draft
7 Adjudications and Orders, for which
8 member Kerns is recused, of Sherry Anne
9 McMahan, RN, Case No. 19-51-005031, and
10 Raina Jo Sands, RN, Case No. 18-51-
11 005959?

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. Member Kerns recused herself
20 from deliberations and voting on the motion.]

21 ***

22 MS. PACHTER SCHULDER:

23 In the matter of Michelle Lynn Kriess,
24 RN, for which member Malady made the
25 motion and member Vincent seconded, is

1 CHAIR KMETZ:

2 All those in favor? Opposed?

3 Abstentions?

4 [The motion carried.]

5 ***

6 MS. PACHTER SCHULDER:

7 Is there a motion to approve Alvernia
8 University's Proposals for Family Health
9 and Adult-Gerontology Primary Care MSN
10 CRNP Programs and Villanova University's
11 Proposal for Psychiatric Mental Health
12 MSN and Post-Master's Certificate
13 Programs?

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 [Linda L. Kmetz, PhD, RN, Chair, thanked everyone for
24 their patience with any tech issues during the
25 meeting.]

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Adjournment

CHAIR KMETZ:

I need a motion to adjourn.

MS. MALADY:

So moved.

MS. VINCENT:

Second.

CHAIR KMETZ:

All those in favor? Opposed?

Abstentions?

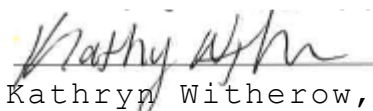
[The motion carried unanimously.]

[There being no further business, the State Board of
Nursing Meeting adjourned at 1:03 p.m.]

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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

June 10, 2022

	TIME	AGENDA
1		
2		
3		
4		
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7		
8		
9	9:12	Official Call to Order
10		
11	9:12	Roll Call of Board Members
12		
13	9:12	Introduction of Attendees
14		
15	9:20	Adoption of Agenda
16		
17	9:21	Report of Prosecutorial Division
18		
19	9:32	Appointment - Geisinger-Lewistown
20		Hospital School of Nursing Proposal
21		for Transition of the Diploma RN
22		Program to an Associate of Science
23		Degree in Nursing (ADN) Program
24		
25	9:44	Appointment - Alvernia University
26		Proposals for Family Health and
27		Adult-Gerontology Primary Care MSN
28		CRNP Programs
29		
30	9:54	Appointment - Villanova University
31		Proposal for Psychiatric Mental
32		Health MSN and Post-Master's
33		Certificate Programs
34		
35	10:07	Regulation Update
36		
37	10:17	Legislative Update
38		
39	10:27	New Business
40		
41	11:28	Report of Committees
42		
43	11:38	Report of Board Members Who Attended a
44		Meeting on Behalf of the Board
45		
46	11:39	Report of Executive Secretary
47		
48	11:48	Old Business
49		
50		
51		

STATE BOARD OF NURSING
REFERENCE INDEX
(Cont.)

June 10, 2022

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TIME	AGENDA
11:51	New Business (Cont.)
12:00	Executive Session
12:47	Return to Open Session
12:47	Motions
1:03	Adjournment