

NEBRASKA BOARD OF NURSING
MINUTES OF THE VIRTUAL MEETING

January 11, 2024

CALL TO ORDER

The meeting of the Nebraska Board of Nursing was called to order by Theresa Delahoyde, Board President, at 8:30 a.m., January 11, 2024, at the Best Western Plus Conference Room, 2201 Wildcat Circle, Lincoln NE 68521. Copies of the agenda were emailed to the Board members on January 2, 2024, emailed to interested parties on January 2, 2024, posted in the east entryway of the Nebraska State Office Building on January 2, 2024, and posted on the Department of Health & Human Services website on January 2, 2024. Copies of the revised agenda were emailed to the Board members on January 9, 2024, emailed to interested parties on January 9, 2024, posted in the east entryway of the Nebraska State Office Building on January 9, 2024, and posted on the Department of Health & Human Services website on January 9, 2024. Delahoyde announced that a copy of the Open Meetings Act was available in the room.

ROLL CALL

The following board members were present in the meeting room and answered roll call:

- Theresa Delahoyde, RN, *Board President*
- Mary Guthrie, *Public Member*
- Kathy Harrison, RN
- Clay Jordan, RN
- Patricia Motl, RN
- Kristin Ruiz, RN
- Jules Russ, *Public Member*
- Brenda Smidt, RN, *Board Vice-President*

The following board members were present via video conference and answered roll call:

- Lisa Kollasch-Parker, APRN-NP
- Angela Kula, LPN, *Board Secretary*
- Sonét Smutny, RN

The following Board member was absent: Kandis Lefler, LPN

The following staff members from the Department and the Attorney General's Office were present in the meeting room during all or part of the meeting:

- Ann Oertwich, RN, *Executive Director*
- Jacci Reznicek, RN, *Nursing Education Consultant*
- Sherri Joyner, *Health Licensing Coordinator*
- Anna Harrison, *DHHS Compliance Monitor*
- C.J. Roberts, *DHHS Legal*
- Mindy Lester, *Assistant Attorney General*
- Abigail Nissen, *Assistant Attorney General*
- Brittany Bigham, *Investigator*
- Andrea Cramer-Price, *Investigator*
- Susan Held, *Investigator*
- Patricia Lemke, *Investigator*
- Mendy Mahar-Clark, *Investigator*

The following Department staff member was present via video conference: Ginger Rogers, APRN-NP, *Nursing Practice Consultant*.

A quorum was present, and the meeting convened.

These minutes were approved by the Board
of Nursing on February 8, 2024.

ADOPTION OF THE AGENDA

MOTION: Smidt made the motion, seconded by Motl, to adopt the revised agenda for the January 11, 2024, Board of Nursing meeting.

Voting Yes: Delahoyde, Guthrie, Harrison, Jordan, Kollasch-Parker, Kula, Motl, Ruiz, Russ, Smidt, and Smutny. Voting No: None. Abstain: None. Absent: Lefler. Motion carried.

APPROVAL OF THE MINUTES

MOTION: Kula made the motion, seconded by Motl, to approve the consent agenda.

Voting Yes: Delahoyde, Guthrie, Harrison, Jordan, Kollasch-Parker, Kula, Motl, Ruiz, Russ, Smidt, and Smutny. Voting No: None. Abstain: None. Absent: Lefler. Motion carried.

CLOSED SESSION

MOTION: Smidt made the motion, seconded by Ruiz, for the Board to go into closed session for the purpose of reviewing and discussing investigative reports, licensure applications, and other confidential information, and for the prevention of needless injury to the reputation of the individuals.

Voting Yes: Delahoyde, Guthrie, Harrison, Jordan, Kollasch-Parker, Kula, Motl, Ruiz, Russ, Smidt, and Smutny. Voting No: None. Abstain: None. Absent: Lefler. Motion carried.

Delahoyde announced that the Board was in closed session for the purpose of reviewing and discussing investigative reports, licensure applications, and other confidential information, and for the prevention of needless injury to the reputation of the individuals.

8:37 a.m. Meeting went into closed session.

8:57 a.m. Smidt left the meeting.

9:09 a.m. Smidt returned to the meeting.

9:46 a.m. Meeting went into recess.

9:59 a.m. Meeting reconvened.

10:12 a.m. Meeting returned to open session.

LICENSURE RECOMMENDATIONS**MISTY D. BURDESS – LPN APPLICANT**

MOTION: Ruiz made the motion, seconded by Smidt to recommend issuing an unrestricted, single-state LPN license to Misty Burdess.

Voting Yes: Delahoyde, Guthrie, Harrison, Jordan, Kollasch-Parker, Kula, Motl, Ruiz, Russ, Smidt, and Smutny. Voting No: None. Abstain: None. Absent: Lefler. Motion carried.

DREW R. MOLACEK – RN APPLICANT

MOTION: Jordan made the motion, seconded by Harrison, to recommend issuing an unrestricted RN license to Drew Molacek.

Voting Yes: Delahoyde, Guthrie, Harrison, Jordan, Kollasch-Parker, Kula, Motl, Ruiz, Russ, Smidt, and Smutny. Voting No: None. Abstain: None. Absent: Lefler. Motion carried.

EDUCATION COMMITTEE

MOTION: The Education Committee moved that the Board of Nursing approve Northeast Community College's 1) Mission, Vision, Values and General Education Goals, 2) Nursing Program Organizing Framework, 3) Proposed PN Student Learning Outcomes, and 4) Proposed RN Student Learning Outcomes.

Voting Yes: Delahoyde, Guthrie, Harrison, Jordan, Kollasch-Parker, Kula, Motl, Ruiz, Russ, Smidt, and Smutny. Voting No: None. Abstain: None. Absent: Lefler. Motion carried.

PUBLIC NOTICE OF BOARD MEETINGS

Joyner reported that public is currently notified of upcoming Board of Nursing meetings by posting the meeting agenda at the Nebraska State Office Building, posting the agenda on the DHHS website, and emailing the agenda to an interested parties list.

MOTION: Ruiz made the motion, seconded by Motl, to continue to use the current methods to notify the public of Board of Nursing meetings.

Voting Yes: Delahoyde, Guthrie, Harrison, Jordan, Kollasch-Parker, Kula, Motl, Ruiz, Russ, Smidt, and Smutny. Voting No: None. Abstain: None. Absent: Lefler. Motion carried.

CHAPTER 97 REGULATIONS

Reznicek reported that she has received written comments from the Nebraska Assembly of Nursing Dean and Directors (NANDD) regarding the proposed changes to the Regulations Governing the Approval of Basic Nursing Programs in Nebraska. The Board's Education Committee will review the comments at their meeting later in the day.

NCSBN MIDYEAR MEETING

The National Council of State Boards of Nursing (NCSBN) will hold their Midyear Meeting in Atlanta, Georgia on March 12-14, 2023. Oertwich and Delahoyde plan to attend, along with Motl who serves on NCSBN's Leadership Succession Committee. Oertwich reported that if other members wish to attend, it is likely that funding could be obtained from NCSBN to cover travel and attendance cost. Kula and Harrison expressed interest in attending.

CENTER FOR NURSING UPDATES

Oertwich reported on the Nebraska Hospital Association and Center for Nursing project to increase clinical sites for nursing students in rural Nebraska. The project has funding available for facilities and schools to update their technology in order to accommodate simulation labs. Oertwich is meeting weekly with Learfield, the company that is developing a marketing plan for the Center. They are still working on a revised website for the Center.

10:29 a.m. Meeting went into recess.

11:03 a.m. Meeting reconvened.

BOARD HEARING

The reinstatement hearing requested by Ann Marie Hauptman, convened at 11:03 a.m. C.J. Roberts, Department Attorney, served as the hearing officer. Ms. Hauptman appeared *pro se*. The Department was represented by Mindy Lester, Assistant Attorney General. A court reporter was present. Exhibits

were presented, and testimony was provided by Ms. Hauptman and by Ann Oertwich, Program Manager, Nebraska Department of Health and Human Services.

MOTION: Ruiz made the motion, seconded by Smidt, for the Board to go into closed session in order to deliberate upon the hearing.

Voting Yes: Delahoyde, Guthrie, Harrison, Jordan, Kollasch-Parker, Kula, Motl, Ruiz, Russ, Smidt, and Smutny. Voting No: None. Abstain: None. Absent: Lefler. Motion carried.

11:56 a.m. Lester, Hauptman, and Oertwich left the meeting. Meeting went into closed session.

11:38 a.m. Meeting returned to Open Session. Lester, Hauptman, and Oertwich returned to the meeting.

MOTION: Harrison made the motion, seconded by Jordan, to deny Ann Marie Hauptman's application for reinstatement based on substance use disorder diagnosis, misdemeanor convictions rationally related to the profession, a felony conviction rationally related to the profession, an insufficient length of sobriety, and insufficient evidence presented to substantiate a change in circumstance. The Board commends the applicant on her initial steps towards maintaining sobriety.

Voting Yes: Delahoyde, Herbek, Hoover, Kollasch, Motl, Ruiz, Smidt, Smutny, Stones, and Thalken. Voting No: None. Abstain: None. Absent: Kula and Lefler. Motion carried.

CONCLUSION

The meeting adjourned at 12:17 p.m.

Respectfully submitted,



Sherri Joyner
Health Licensing Coordinator