

NEBRASKA BOARD OF NURSING
MINUTES OF THE VIRTUAL MEETING

December 8, 2022

CALL TO ORDER

The meeting of the Nebraska Board of Nursing was called to order by Patricia Motl, Board President, at 8:31 a.m., December 8, 2022, at the Best Western Plus Conference Room, 2201 Wildcat Circle, Lincoln NE 68521. Copies of the agenda were emailed to the Board members on November 28, 2022, emailed to interested parties on November 28, 2022, posted outside the Licensure Unit within the Nebraska State Office Building on November 28, 2022, and posted on the Department of Health & Human Services website on November 28, 2022. Motl announced that a copy of the Open Meetings Act was available in the room.

Board members, staff, and the public were able to attend the meeting virtually via video conference or phone as authorized by Neb. Rev. Statue 84-1411(7) and Executive Orders Nos. 21-12 and 22-02.

ROLL CALL

The following board members were present and answered roll:

- Theresa Delahoyde, RN
- Angela Kula, LPN
- Kandis Lefler, LPN, *Board Secretary*
- Patricia Motl, RN *Board President*
- Kristin Ruiz, RN
- Brenda Smidt, RN
- Linda Stones, RN

The following Board member attended virtually and answered roll call:

- Tom Hoover, RN
- Lisa Kollasch, APRN-NP
- Sonét Smutny, RN

The following Board members were absent: Tag Herbek, *Public Member*, and Rita Thalken, Public Member.

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

- Ann Oertwich, RN, *Executive Director*
- Jacci Reznicek, RN, *Nursing Education Consultant*
- Ginger Rogers, APRN-NP, *Nursing Practice Consultant* (attended virtually)
- Sherri Joyner, *Health Licensing Coordinator*
- Teresa Hampton, *DHHS Legal* (attended virtually)
- Jennifer Miralles, *DHHS Legal* (attended virtually)
- Mindy Lester, *Assistant Attorney General*
- T.J. O'Neill, *Assistant Attorney General*
- Brittany Bigham, *Investigator*
- Jessica Bowman, *Investigator*
- Andrea Cramer-Price, *Investigator*
- Susan Held, *Investigator*
- Patricia Lemke, *Investigator*
- Mendy Mahar-Clark, *Investigato*
- Dennis Scott, *Program Manager, Investigations Unit*

A quorum was present, and the meeting convened.

These minutes were approved by the Board
of Nursing on January 12, 2023.

ADOPTION OF THE AGENDA

MOTION: Stones made the motion, seconded by Ruiz, to adopt the agenda for the December 8, 2022, Board of Nursing meeting.

Voting Yes: Delahoyde, Hoover, Kollasch, Kula, Lefler, Motl, Smidt, Ruiz, Smutny, and Stones.

Voting No: None. Abstain: None. Absent: Herbek and Thalken. Motion carried.

APPROVAL OF THE MINUTES

MOTION: Lefler made the motion, seconded by Delahoyde, to approve the consent agenda.

Voting Yes: Delahoyde, Hoover, Kollasch, Kula, Lefler, Motl, Smidt, Ruiz, Smutny, and Stones.

Voting No: None. Abstain: None. Absent: Herbek and Thalken. Motion carried.

CLOSED SESSION

MOTION: Kula made the motion, seconded by Delahoyde, 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, Hoover, Kollasch, Kula, Lefler, Motl, Smidt, Ruiz, Smutny, and Stones.

Voting No: None. Abstain: None. Absent: Herbek and Thalken. Motion carried.

Motl 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.

8:35 a.m. Meeting went into closed session.
 9:16 a.m. Smutny left the meeting.
 9:19 a.m. Smutny returned to the meeting. Ruiz left the meeting.
 9:28 a.m. Ruiz returned to the meeting.
 9:38 a.m. Meeting went into recess.
 9:47 a.m. Meeting reconvened.
 9:59 a.m. Smutny left the meeting.
 10:07 a.m. Smutny returned to the meeting.
 11:43 a.m. Meeting returned to open session.

LICENSURE RECOMMENDATIONS**CLAIRE M. WELSH – RN APPLICANT**

MOTION: Kula made the motion, seconded by Stones, to recommend issuing Claire Welsh an RN license on probation for two years with the following terms and conditions: abstain from alcohol; abstain from controlled substances and other prescription drugs unless prescribed by the treating practitioner; verification from treating practitioner of all prescription medications; report all prescription medications taken; submit to random body fluid screens; advise Department of any professional counseling and submit reports; comply with treatment recommendations including recommendations for attendance at support group meetings and sponsor; active practice for 2080 hours; provide notice of disciplinary proceedings to employer and other states where licensed; provide quarterly employer reports; shall not provide nursing services for staffing agencies or in home health care; provide written notice to Department of any employment, address or phone changes within seven (7) days; comply with all reports, notices or other documentation from the Department; promptly respond to Department regarding compliance during probation; obey all state and federal laws, rules and regulations regarding

practice of nursing and must report any violations of the above to Department within seven days; pay any costs associated with ensuring compliance, and appear at any meetings of the Board of Nursing when requested. The recommendation for probation is based upon diagnosis of a substance use disorder and a criminal conviction rationally related to the profession.

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

MARISOL SANCHEZ – RN REINSTATEMENT FROM DISCIPLINE

MOTION: Stones made the motion, seconded by Ruiz, to recommend reinstating Marisol Sanchez's RN license without restrictions (early release from probation) based on her compliance with treatment recommendations, active involvement in the substance abuse/recovery process, and reported period of sobriety from December 2020.

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

SUSAN STANDISH – RN REINSTATEMENT FROM DISCIPLINE

MOTION: Ruiz made the motion, seconded by Delahoyde, to recommend reinstating Susan Standish's RN without restrictions (early release from probation) based on her current participation in treatment, completion of outpatient treatment, compliance with treatment recommendations, active involvement in the substance abuse/addiction recovery process, reported period of sobriety from November 7, 2017, attendance at support group meetings, and positive letters of reference from employer and support groups.

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

ELECTION OF 2023 OFFICERS

Joyner reported that the only nomination she received for the Board Secretary position was a nomination for Angela Kula. No additional nominations were made at the meeting.

MOTION: Delahoyde made the motion, seconded by Ruiz, to appoint Angela Kula as Board Secretary.

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

Joyner reported that both Linda Stones and Sonét Smutny were nominated for the Board Vice-President position. No additional nominations were made at the meeting. After a vote was conducted via secret ballot, Stones was identified as the winner. (Eight votes were received for Stones; two votes were received for Smutny.)

Joyner reported that both Patti Motl and Theresa Delahoyde were nominated for the Board President position. No additional nominations were made at the meeting. After a vote was conducted via secret ballot, Delahoyde was identified as the winner. (Six votes were received for Delahoyde; four votes were received for Motl.)

EDUCATION COMMITTEE

MOTION: The Education Committee made the motion that the Board of Nursing approve the following courses for the UNMC College of Nursing BSN program: NRS 443W Population Centered Care, NRS 452 Leadership in Healthcare Delivery, and NRS 405 School Health Nurse Scholar

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

MOTION: The Education Committee made the motion that the Board of Nursing approve the following course for the NECC Associate Degree Nursing program: NURS 1990 Special Topics: School Nurse Scholar I.

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

MOTION: The Education Committee made the motion that the Board of Nursing approve the following courses for Nebraska Methodist College BSN program: NRS 102 Population Health I, NRS 200 Population Health II, NRS 300 Population Health III, and NRS 400 Population Health IV.

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

MOTION: The Education Committee made the motion that the Board of Nursing approve the *Simulation in Nursing Education Advisory Opinion*

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

SURVEYOR'S REPORTS FOR APPROVAL OF NURSING PROGRAMS

MOTION: Delahoyde made the motion, seconded by Ruiz, to approve the Surveyor's Report for Southeast Community College's PN program.

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

CONCLUSION AND ADJOURNMENT

Oertwich announced that due to weather conditions that were expected to make travel hazardous, the remaining items on the agenda would be deferred until the Board's next meeting. The meeting adjourned early at 12:03 p.m.

Respectfully submitted,



Sherri Joyner
Health Licensing Coordinator