



CANNON BUILDING
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STATE OF DELAWARE
DEPARTMENT OF STATE

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DIVISION OF PROFESSIONAL REGULATION

PUBLIC MEETING NOTICE:	BOARD OF NURSING Meeting Minutes
DATE AND TIME:	Wednesday, May 9, 2012 at 9:00 a.m.
PLACE:	Cannon Building, Second Floor Conference Room A 861 Silver Lake Blvd., Dover, DE 19904
Minutes Approved:	June 13, 2012

MEMBERS PRESENT

Evelyn Nicholson, President, Public Member
Robert Contino, RN, Vice President, Nurse Educator Member (left meeting at 1:00 p.m.)
Dianne Halpern, RN Member
Pamela Tyranski, RN Member
Robert Maddex, Public Member
Harland Sanders, Public Member
David Salati, RN Member
Madelyn Nellius, Public Member
Mary Lomax, Public Member
Delphos Price, APN Member
Gwelliam Hines, RN Member
Kathy Bradley, LPN Member
Lyron Deputy, RN Member (left meeting at 11:55 a.m.)

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Patty Davis-Oliva, Deputy Attorney General
Pamela Zickafoose, Executive Director
Sandra Wagner, Administrative Specialist III

MEMBERS ABSENT

Tracy Littleton, LPN Member

ALSO PRESENT

Juli LaBadia, Wilcox and Fetzer
Tammy Paxton, DTCC-Owens Campus
Connie Bushey, M.H. Rollins School of Nursing at Beebe Medical Center
Barbara Robinson, Leads School
Rachel Joseph, Leads School
Pat Welsh, DTCC-Stanton Campus
Lisa Schieffert
Joy Magee

Francis Torman
Nursing Students

Ms. Nicholson called the meeting to order at 9:05 a.m. The Board introduced themselves to the public.

REVIEW OF MINUTES

The Board reviewed the minutes of the meeting held on April 11, 2012. Mr. Sanders made a motion, seconded by Mr. Maddex, to approve the minutes as written. The motion carried with Mr. Deputy, Ms. Bradley and Ms. Hines abstaining.

ADOPTION OF THE AGENDA

Dr. Contino made a motion, seconded by Mr. Sanders, to adopt the agenda. By unanimous vote, the motion carried.

ACTIVITIES REPORT

Dr. Zickafoose provided the report of the number and types of active licenses as of May 8, 2012.

Total Active Licenses = 18,759

APN = 1,168

RN = 14,901

LPN = 2,690

Total permits 41

UNFINISHED BUSINESS

Recommended Language Changes on Applications

Dr. Zickafoose read copies of the Licensure by Reinstatement, Licensure by Endorsement, and Licensure by Exam applications from the Division of Professional Regulation website. Each form had the correct question for discipline as requested by the Board at the April meeting. Ms. Nicholson pointed out the form submitted last month was an old form dated in August whereas the current forms on the website are dated 11/2011. Operations staff will not accept old forms.

COMMITTEE REPORTS

Camtech Presentation of Action Plan

Ms. Magee from Camtech presented their Action Plan to the Board. Ms. Magee stated the Transfer policy did say "may" but they omitted the word "may" in November and ATI is now "required" on transfer in addition to the tests at the end of the program. The second topic was related to lab space on the second floor which she stated the visitors did not see on their site visit because they only visited the basement. Camtech purchased additional equipment for the lab. The third topic was the increased tuition fee. Ms. Magee reported they operate on clock hours so the increase was by clock hour from \$8.08 to \$8.86 and normally increases are \$100 per credit hour. She stated the initial evaluation suggested a \$0.98/clock hour increase but they found a \$0.78 increase would suffice and this was implemented in January 2012. Fourth she discussed students who withdrew from the program who stated upon exit they had financial restraints. Ms. Magee reported the students had no financial plan and since Camtech had no accreditation, they did not offer financial aid and students had to get loans. She reported they are working on the National League for Nursing Accrediting Commission (NLNAC) accreditation with a potential site visit in the fall cycle. She stated they submitted an application to the Accrediting Commission of Career Schools and Colleges (ACCSC) because of their Medical Assistant, Nursing Assistant, Computer Studies, Phlebotomy, and Surgical Technician programs but they have not heard back from ACCSC yet. They also "signed up with a financial company." Fifth, Ms. Magee

requested the Board of Nursing to implement the 90-day rule stating if their students take the NLCEX-PN exam within 90 days, they have an 80-100% pass rate. Sixth, Ms. Magee reported there was an error in the Annual report citing implementation of a RN to LPN program which was discovered after the report was submitted (which should have stated "LPN to RN" program.) She apologized for the error and said the RN program application will be submitted within the next 12 months. This is also the reason for upgrading the Nursing Assistant labs. Seventh, she stated they are in the final stages with the Nanticoke contract and they are meeting with Brookdale Senior Living on Friday. Eighth, numerous dates were submitted in the annual report and they do not offer courses per semester. She stated she thought it would be better to list their start dates which are in January, March, July and September. Ninth, Ms. Magee stated the curriculum was "mutually agreed upon at the August 1st visit" to provide consistency between the Camtech PN programs. She stated there was a complaint from the PA Board of Nursing questioning the difference between their part-time program with 972 hours and their full-time program with 1547 hours. Therefore, they "came up with 1275 hours for both programs." She explained the breakdown for credit hours, lab hours and clinical hours which was based on a 16 week period. She also explained that Mental Health actually has 2.81 credits (rounded up to 3 credits) with students going to clinical from 7 – 1:30 Monday through Friday equaling 60 hours for two weeks. Personal and Vocational Aspects I was reevaluated and they found the material could be delivered in 15 hours instead of 22 hours. Ms. Magee stated the course sequence sheet showed Level 1 having 22 weeks and 16 weeks for Levels II and III. The old had 21 weeks for Level 1. She stated they don't operate as a standard school because they go by hours with 8 AM to 2 PM being normal school hours for 12 months with no break. Then she stated the students may get 2-3 days off for Spring Break. Tenth, Ms. Magee stated in regard to Board Rule 2.5.4.2.2- more than 3 years with less than 80% NCLEX-PN pass rate, they partnered with ATI. Ms. Magee also revised the comprehensive review for students that she delivers herself, and the Student Handbook was revised. In regard to Board Rule 2.5.4.2.3- they are trying to comply with Board requirements. In regard to Board rule 2.5.4.2.6- allow Camtech more time to achieve the 80% pass rate as they did their report in May and their graduation was not until September last year. In regard to Board rule 2.5.4.2.7- they are actively pursuing NLNAC with a visit anticipated in Fall 2012.

Practice and Education Committee – Dr. Contino reported the committee met on May 1st and reviewed the Camtech Action Plan in detail for over two hours. Reading from the P&E minutes, Dr. Contino stated transfer students completed approximately 41% of the curriculum at Camtech with approximately 60% being transferred in to Camtech. There were no details how their transfer policy works. The students must take ATI, but no scores were mentioned. They upgraded their lab but there was no detail on what equipment was included nor how all the students from their programs are accommodated in the lab. Dr. Contino reported there was no definitive action plan and timeline for correction of the NCLEX-PN pass rates- only their request to mandate the 90 day rule. Clinical contracts have not been finalized and this was since last August. Dr. Contino reported that the P&E committee did not find the Action Plan addressed the concerns as requested in the February letter. Dr. Contino made a motion to the Board that the Initial Approval of Camtech be withdrawn. Ms. Nicholson stated that motions made on behalf of a committee do not need a second and she asked for discussion. Dr. Zickafoose added that the Camtech NCLEX-PN pass rate from October 1, 2011 through March 2012 (first half of this reporting year) is at 56.25%. She also described curricular issues with Anatomy and Physiology that incorporated Pathophysiology objectives but no content and with Fundamentals of Nursing having high level skills better suited in a Medical Surgical course. Mr. Price questioned Ms. Magee and Mr. Tormen (the owner of Camtech) about starting a LPN to RN program when they have four classes starting over the course of a year in the PN program and still not having reached the 80% pass rate. He stated he understood they are trying to move forward but you "can't drive a bus with broken wheels." Ms. Magee responded they are trying to improve the rates with the implementation of the mandatory review class they did not have in March 2011 when she took the job. She stated it was

hard to structure something that has been going on awhile, they reviewed with ATI and got "Virtual Coach" which is more from ATI. Mr. Price again stated they continue to not meet the pass rate and they have not presented well. He confirmed that Ms. Magee had been with Camtech for 14 months and questioned, "How can these students be put into the public to take care of our parents?" Ms. Magee replied that most students have not taken boards since the September graduation and this group had the first mandatory review. She continued stating "students come from programs who have already failed another program." Mr. Tormen spoke and stated his education is as a computer engineer, he was running a nursing agency, and he noted a shortage of nurses. Because of the shortage he started this school and has since graduated over 300 nurses who are licensed including out of state students as well. Mr. Tormen added they have not had a tuition increase since 2006 and the goal was not for the money but for society. Their graduates want to come back. He stated "For the NLCEX, students don't sit within 90 days; there is a tendency for students to forget to test within 90 days. They are not throwing this back to the Board but the Board allowed a person to sit after 13 years and that student passed which was a miracle. We are not allowing students to test when they owe money, they won't complete the program and must come back and take more classes."

Ms. Hines asked Dr. Contino what is the next step? He referred to Ms. Davis-Oliva who stated that Camtech has been noticed and asked to respond with a plan to cure their deficiencies. The plan was submitted to the Board members and they were invited here to present their plan. Board members could approve, approve with revisions, or reject and propose to withdraw approval. The Practice & Education Committee recommends the Board reject the plan and withdraw approval. Mr. Salati asked if students take the exam within 90 days, does the pass rate change from year to year? Mr. Tormen replied since 2006 20-25% of the graduates take before the 90 days. Mr. Salati then stated it sounded like they were relying on the Board to improve their pass rates and he recalled when he graduated from nursing school the first thing he wanted to do was to take the exam. Then he questioned "Why are they waiting to take the exam?" Mr. Tormen responded they had a 69% before and many go away and don't come back without paying. He also stated they are not basically relying on the Board for their pass rate as this is one of a few problems. Dr. Contino responded the Practice & Education Committee felt it is NOT the Board's responsibility to set the plan. We expected a "correction" plan. Ms. Nellius questioned about the NCLEX pass rate. Mr. Tormen stated they go by a calendar year instead of the fiscal year. Dr. Zickafoose stated she had the Camtech pass rates for January 2011- December 2011 and their overall pass rate was 49.21% with 63 candidates taking the exam and 31 passing. Mr. Price called for the vote with Ms. Nellius seconding the motion to withdraw approval of the Camtech PN program. With Dr. Contino abstaining, the motion carried. Ms. Davis-Oliva told Ms. Magee and Mr. Tormen they would get a letter for their next steps.

Wesley College

Dr. Zickafoose read the findings from the Practice & Education Committee to approve the Action Plan submitted by Wesley. The committee found that Wesley College included a detailed systematic evaluation plan and they are moving along their corrective action timeline. The plan requested six years for actualization of the 80% pass rate and it was determined that Wesley has until 2016 to total six years since they were placed on conditional approval. With Dr. Contino and Mr. Deputy abstaining, the motion carried to accept the Action Plan from Wesley College. Mr. Price congratulated Dr. Contino who will assume the full-time chairperson position upon Dr. Gambardella's retirement in August.

Delaware Skills Center

Dr. Contino reported the committee reviewed a letter from Ms. Potts and they are continuing to work on identified areas. They appreciated her communication although it was not needed until the next Annual report.

Delaware State University

Dr. Contino reported the committee read the NLNAC letter granting conditional accreditation with a follow-up report due in the Spring of 2014 for Standards 4 & 6 for the DSU undergraduate program.

DTCC- Stanton Campus

Dr. Contino reported that Dr. Welsh submitted a request to remove General Psychology from their curriculum as the other two campuses do not require this course. Their total credits would be reduced from 72 to 69. The purpose is to align the curricula at all three campuses. They also requested a new clinical site at Season's Hospice with all supporting documentation submitted. Dr. Contino moved to approve the decrease in credits and the clinical site. With Dr. Contino abstaining, the motion carried by majority vote.

Dr. Contino reported the Leads Action Plan is due May 30th.

AWSAM Committee – Ms. Tyranski stated the AWSAM Committee met on April 24, 2012 and Ms. Walsh has resigned from the AWSAM committee. Error reports and Annual Recertifications were reported; however, there are a significant number of delivery sites not submitting any reports. The committee continues to re-evaluate the AWSAM to LLAM process including the need to develop a new curriculum and new reports. This is a tedious process. Members recognize the need to emphasize the 6 rights of medication administration in the curriculum. The committee discussed Glucagon and that it is considered an emergency medication under section 1921(a)(2) yet the Department of Education may promulgate regulations rather than statutory changes. The committee's next meeting date is scheduled for May 15, 2012.

APN Committee – There was no report since the Committee did not meet in April. Mr. Price apologized that he was not able to attend the April 25, 2012 APRN Roundtable in Chicago but the information was available for review.

PRESIDENT'S REPORT

Ms. Nicholson reported that on behalf of the Board she wanted to take this opportunity during National Nurses Week to acknowledge and thank all the nurses in our state. We are very proud of our state's nurses and we greatly appreciate their role in providing the citizens of Delaware with excellent health care.

Ms. Nicholson said that as we acknowledge the importance of the nurses in our state, she wanted to give a special "thank you" to the professional members of our Board of Nursing. The professional knowledge and expertise that these members bring to the Board is invaluable, and the dedication and service that they give to the Board is greatly appreciated. Thank you all.

Ms. Nicholson informed the Board that Ms. Karen Murphy has resigned from the Board of Nursing. Ms. Murphy served on the Board as an LPN member. This month Ms. Murphy will complete her education as an RN, with graduation on May 15th.

On behalf of the Board, Ms. Nicholson wished to thank Ms. Murphy for her service to the Board of Nursing and to the citizens of Delaware. We all want to congratulate Ms. Murphy on her achievement and to wish her well in the future.

EXECUTIVE DIRECTOR'S REPORT

Dr. Zickafoose reported she spent the past two days with a representative from NCSBN looking at our licensure management system from all aspects. Members of the Division staff also met with the representative to educate her how we currently use our system. The representative seemed impressed with her findings and asked what needs we had. Dr. Zickafoose recommended: 1) improvements in the discipline monitoring aspects of the database that could benefit all professions; 2) Nursing school statistics reports that could be available for nursing schools; and 3) a cumulative report for nursing schools. Dr. Zickafoose reported that Phase II of the Transition to Practice study is underway and she spoke at the DHSS conference on April 17th.

NEW BUSINESS BEFORE THE BOARD **LICENSEE APPLICATION REVIEWS**

By Examination

Jamie Douglas-Corbin, GPN – Ms. Douglas-Corbin is a GPN applicant, who graduated from DTCC-Owens on October 27, 2011. Ms. Douglas-Corbin's CBC shows conspiracy third degree on December 20, 1997 which is listed in Section 15 as 15.2.4, a crime substantially related to nursing.

Ms. Douglas-Corbin wrote on October 21, 2001 that she received a traffic violation and she included the conspiracy in question #19. Ms. Douglas-Corbin's explanation says she was working at Walmart and she failed to look to see a VCR on the bottom of a customer's cart. Walmart observed this on video and blamed Ms. Douglas-Corbin for allowing the customer to leave with the VCR. Ms. Douglas-Corbin opted to take the plea bargain as she feared going to jail. Ms. Douglas-Corbin had three positive letters of reference and submitted disposition paperwork. Ms. Nicholson questioned that Ms. Douglas-Corbin's letter of explanation stated she worked 6 years at Beebe but on her application she did not list anything for employment as a LPN and she marked "no" to the question asking "Have you ever practiced....." Ms. Halpern made a motion, seconded by Mr. Deputy, to propose to deny Ms. Douglas-Corbin's application to sit for the NCLEX exam. By unanimous vote, the motion carried. Ms. Davis-Oliva clarified the Board's decision was based on Ms. Douglas-Corbin's attempt to obtain a license via "fraudulent means" and the Board members confirmed.

By Endorsement

Robert Quist, RN – Mr. Quist graduated from Hudson Valley Community College on May 19, 1986 with an Associate Degree. Mr. Quist currently works at WellPoint and meets the practice requirement. Mr. Quist's CBC shows a conviction for criminal mischief on August 6, 1981 listed as 15.3.5 in the Rules and three convictions for DUI, one in 1978, one in 1979, and the last on July 17, 1986. The disposition was "fine \$250 and license revoked." Mr. Quist's explanation states he was young and associated with acquaintances who liked to party together almost every day and that is when he was arrested in TX for DWI. Mr. Quist moved from TX to NY and associated with a better group, yet following a graduation party he was arrested the third time. Mr. Quist completed a court ordered alcohol awareness program. Question #21 on the application was answered correctly. Mr. Quist has been an ED Nurse manager for almost 20 years and serves as a role model now. Mr. Quist submitted five positive letters of reference. Mr. Price made a motion, seconded by Mr. Salati, to grant a waiver to license Mr. Quist by endorsement. Mr. Maddox pointed out that Mr. Quist answered "no" to the question on alcohol dependency. By majority vote, the motion carried with Mr. Maddex abstaining.

Tina McCalla, RN – Ms. McCalla graduated from Helene Fuld College of Nursing on April 30, 2000. Ms. McCalla's CBC shows a 1985 conviction for misdemeanor larceny pursuant to 15.3.16. Ms. McCalla answered question #21 by stating that she had misdemeanors in 1984 and 1988. Ms. McCalla submitted two letters of explanation and disposition paperwork along with one positive reference letter. Mr. Sanders made a motion, seconded by Ms. Tyranski, to grant a waiver to license Ms. McCalla by endorsement. By unanimous vote, the motion carried.

Fatuma Mohammed, LPN - Ms. Mohammed graduated from an Institute of Nursing in Ethiopia on October 29, 1988. Ms. Mohammed is applying for LPN licensure by endorsement as she holds a current NY LPN license. The CGFNS documentation she submitted shows that she received RN education. There is no evidence of completion of a LPN program. Ms. Mohammed previously came before the DE BON for permission to sit for the NCLEX-RN exam which she took December 17, 2011 and failed. For the past 9 years she has worked at the VA Medical Center in Elsmere as a LPN. Ms. Mohammed did complete 28 hours of CE but did not list this on her application. The two courses Ms. Mohammed did list on her application were not acceptable. Ms. Nicholson asked how Ms. Mohammed could work at the VA Medical Center without a valid DE license and Dr. Zickafoose stated nurses only need a valid nursing license from any state to work in the Federal system such as Dover Air Force Base, the Veterans Home or the VA Medical Center. Dr. Contino added that LPNs can take RN boards while in LPN school in New York. Ms. Nellius made a motion, seconded by Dr. Contino, to approve licensure to Ms. Mohammed by endorsement. By unanimous vote, the motion carried.

The Board took a short break to prepare for the hearings at 11:00 a.m.

Once the hearings concluded, the Board recessed for lunch at 12:35 p.m. Ms. Nicholson advised the audience the meeting would begin again at 1:15 p.m. and she hoped they would return for the remainder of the meeting.

The Board returned from recess at 1:20 p.m. and proceeded with the afternoon hearing. Following the hearing the meeting proceeded to item #9.1.3 Reinstatement on the agenda.

By Reinstatement

Nancy Stromberg, RN - Ms. Stromberg is applying for licensure by reinstatement. Ms. Stromberg states she is self-employed as a legal nurse consultant and has been working in this capacity since January 2007. Dr. Zickafoose asked Ms. Stromberg to submit documentation of the hours practiced and a list of cases; however Ms. Stromberg did not submit this documentation to the Board for review. Ms. Nicholson pointed out on application question #14 Ms. Stromberg wrote she has been practicing "from 2007 to present" which Ms. Nicholson stated is up to an including the day she filled out the form on March 7, 2012. Ms. Nicholson questioned that since Ms. Stromberg's license lapsed September 30, 2011, had she practiced "to the present" without a license. Ms. Tyranski stated Ms. Stromberg should keep logs or books and any consultation records for clients. Mr. Price made a motion, seconded by Ms. Nellius, to propose to deny Ms. Stromberg reinstatement of her license in DE. By unanimous vote, the motion carried.

Advanced Practice Nurse

There were no Advanced Practice applicants for May.

Renewal

There were no renewal issues.

ASSIGNMENTS/ASSIGNED BOARD CONTACT PERSON

Mr. Price made a motion, seconded by Mr. Maddex, to ratify the following complaint assignments given to the respective Board contact person. By unanimous vote, the motion passed.

11-24-12 Price	11-27-12 Price	11-30-12 Hines
11-25-12 Price	11-28-12 Tyranski	11-31-12 Deputy
11-26-12 Halpern	11-29-12 Tyranski	

CLOSED COMPLAINTS

Closed complaints do not need a vote; they are for information only to get into the record.

Dismissed by the Attorney General's Office

11-02-11

11-22-11

11-52-11

Closed Investigations by the Division of Professional Regulation - None

HEARINGS/CONSENT AGREEMENTS – RATIFICATION & SIGNATURE

Consent Agreement(s)

Appointment of Hearing Panel #10

Before appointing a new Hearing Panel, Ms. Nicholson publicly, and for the record, acknowledged the members of Hearing Panel #9 for the extra time and extra service that they have given to the Board and to the citizens of Delaware. The Panel members were Mr. Deputy, Ms. Bradley, and Mr. Sanders. Thank you to all.

Ms. Nicholson nominated the members for Hearing Panel #10. The nominations are: Dr. Robert Contino as a Professional Member and as Chairman of the Panel; Mr. Salati as a Professional Member; and Mr. Robert Maddex as the Public Member. Hearing Panel #10 will serve for a three-month period: May, June, and July. Mr. Sanders made a motion, seconded by Ms. Bradley, to accept and approve Hearing Panel #10. By unanimous vote, the motion carried.

Ms. Nicholson thanked the members of the new Hearing Panel for accepting their appointments and for their willingness to serve.

Consent Agreements

Laurie Cross-Bazzoli, LPN - Board members reviewed the consent agreement. Ms. Nicholson stated that paragraph 1 of the consent reads: "the State, by the undersigned Deputy Attorney General, and the Board hereby enter into this Consent Agreement." This statement needs to be updated for the Board is not responsible in obtaining the Consent Order. The consent also reads that Ms. Cross-Bazzoli's license is active but further in the paragraph it states it is currently not active. Ms. Nicholson also asked Ms. Davis-Oliva to ask the DAGs to include the statement "any failure to comply with the terms and conditions of this Order shall subject the Respondent's license to practice to further disciplinary action by the Board." Ms. Davis-Oliva took note of the needed corrections. Mr. Sanders made a motion, seconded by Ms. Nelliuss, to accept and approve the consent agreement with the changes discussed. By unanimous vote, the motion carried.

Leslie Doughty Hensley – Board members reviewed the consent agreement. Ms. Davis-Oliva commented that this nurse is not admitting to anything in the Consent Agreement, only that she is in treatment for addiction. Ms. Davis-Oliva stated this is not an emergency suspension but the Board could view it as demonstrating immediate or imminent danger to the public which requires emergency action. Mr. Sanders made a motion, seconded by Ms. Hines, to accept and approve the consent agreement with the order being re-written by the Board's counsel. By unanimous vote, the motion carried.

April Crook – Board members reviewed the consent agreement. Ms. Nicholson stated that paragraph 1 of the consent reads "the State, by the undersigned Deputy Attorney General, and the Board hereby enter into this Consent Agreement" and this statement needs to be updated for the Board is not responsible in obtaining the Consent Order. It was also noted that the signature page was the old form. Ms. Davis-Oliva took note of the needed corrections and will communicate them to Ms. Gadbois. Mr.

Price made a motion, seconded by Ms. Tyranski, to accept and approve the consent agreement with the changes discussed. By unanimous vote, the motion carried.

HeatherJo Rybicki – Board members reviewed the consent agreement. Mr. Price stated on page 3, paragraph 12 there was a statement that read “the parties will not will not.” Ms. Davis-Oliva took note of the needed correction. Mr. Price made a motion, seconded by Ms. Bradley, to accept and approve the consent agreement. By unanimous vote, the motion carried.

Christina Jilek-Olachea – Board members reviewed the consent agreement. Ms. Nicholson stated on page 2 number 7 the word “of” needs to be inserted before the word “deceit” and the last page was the wrong form again. Mr. Salati debated that a letter of reprimand was not severe enough for this consent. Mr. Price made a motion, seconded by Ms. Halpern, to accept and approve the consent agreement. By majority vote, the motion carried with Mr. Sanders abstaining.

Kimberly Stewart - Board members reviewed the consent agreement. Mr. Price and Ms. Halpern stated they had a problem with this whole situation saying both the nurse and the company have issues. Mr. Sanders made a motion, seconded by Ms. Nellius, to accept and approve the consent agreement. By majority vote, the motion carried.

Hearing Panel Findings/Decisions/Orders

There were no Hearing Panel Findings/Decisions/Orders this month.

Hearing Officer Recommendations

There were no Hearing Officer Recommendations for this month.

DISCIPLINARY HEARINGS

Hearing minutes follow the regular Board minutes.

LEGISLATIVE UPDATE

There were no legislative updates.

REVIEW OF COMPLIANCE

Geri Stephanos- Dr. Zickafoose explained the reason for bringing Ms. Stephanos to the Board for review. Ms. Stephanos submitted documentation to meet all requirements of her Consent Agreement. Mr. Maddex made a motion, seconded by Ms. Halpern, to lift the probation on Ms. Stephanos’s license. By unanimous vote, the motion carried.

Melissa Swain - Dr. Zickafoose explained the reason for bringing Ms. Swain to the Board for review. Ms. Swain submitted documentation to meet all requirements of her Consent Agreement. Mr. Price made a motion, seconded by Ms. Bradley, to lift the probation on Ms. Swain’s license. By unanimous vote, the motion carried.

PRACTICE WITHOUT LICENSURE REVIEWS (April)

There were no practices without licensure reviews for April.

PRACTICE ISSUES

There were no practice issues for this month.

EDUCATIONAL ISSUES

Johns Hopkins Education and Research Center CE Application

Dr. Zickafoose recommended the approval of Johns Hopkins Education and Research Center as a continuing education provider. Dr. Lomax made a motion, seconded by Ms. Nellius, to approve Johns Hopkins as a continuing education provider. By unanimous vote, the motion carried.

LICENSURE ISSUES

There were no licensure issues for this month.

NCSBN

There was nothing to discuss for this month.

LICENSEE RATIFICATION

Mr. Price made a motion, seconded by Mr. Salati, to ratify the licensee list. By unanimous vote, the motion carried.

PUBLIC COMMENT

There were no public comments.

NEXT SCHEDULED MEETING

June 13, 2012 - 9:00 a.m.
861 Silver Lake Blvd., Cannon Building, Conference Room A, Dover, DE 19904.

ADJOURNMENT

The meeting adjourned at 3:00 p.m.

Respectfully Submitted,



Pamela C. Zickafoose, EdD, MSN, RN, NE-BC, CNE
Executive Director
Delaware Board of Nursing

HEARING MINUTES

HEARING – Taryn Davis

The Delaware Board of Nursing held a hearing on May 9, 2012, at 11:12 a.m. in the Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Suite 203, Dover, Delaware.

PRESENT: Evelyn Nicholson, Dianne Halpern, Pamela Tyranski, Robert Maddex, Robert Contino, Harland Sanders, David Salati, Madelyn Nellius, Gwelliam Hines, Kathy Bradley, Mary Lomax, Lyron Deputy and Delphos Price

RECUSED:

EXCUSED: Tracy Littleton

PURPOSE: Propose to Deny

PRESIDING: Evelyn Nicholson, President

BOARD STAFF: Pamela Zickafoose, Executive Director of Nursing, Sandra Wagner, Administrative Specialist III

DEPUTY ATTORNEY GENERAL FOR THE BOARD: Patricia Davis-Oliva, DAG

DEPUTY ATTORNEY GENERAL FOR THE STATE:

RESPONDENT: Taryn Davis

COUNSEL FOR THE RESPONDENT: Mr. David Hackett, Esq.

WITNESSES FOR THE STATE:

WITNESSES FOR THE RESPONDENT: Vicki Pini and Jean Morris

COURT REPORTER PRESENT: Juli LaBadia, Wilcox and Fetzer

TIME STARTED: 11:12 a.m.

The recorder took verbatim testimony. The Board members introduced themselves. Ms. Davis-Oliva described the reason for the hearing and confirmed Ms. Davis was present for the hearing. Mr. Hackett entered a document as Applicant Exhibit 1. Mr. Hackett had Ms. Davis give a statement into the record. Mr. Hackett called witnesses for Ms. Davis. The Board went off the record at 11:51 a.m. for deliberations. The Board went back on the record at 11:53 a.m. Ms. Nellius made a motion, seconded by Ms. Bradley, to grant Ms. Davis a waiver to sit for the NCLEX exam. By unanimous vote, the motion carried. The hearing concluded at 11:54 a.m.

HEARING MINUTES

HEARING – Kathleen Jones

The Delaware Board of Nursing held a hearing on May 9, 2012, at 11:55 a.m. in the Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Suite 203, Dover, Delaware.

PRESENT: Evelyn Nicholson, Dianne Halpern, Pamela Tyranski, Robert Maddex, Robert Contino, Harland Sanders, David Salati, Madelyn Nellius, Gwelliam Hines, Kathy Bradley, Mary Lomax and Delphos Price

RECUSED:

EXCUSED: Tracy Littleton and Lyron Deputy

PURPOSE: Propose to Deny

PRESIDING: Evelyn Nicholson, President

BOARD STAFF: Pamela Zickafoose, Executive Director of Nursing, Sandra Wagner, Administrative Specialist III

DEPUTY ATTORNEY GENERAL FOR THE BOARD: Patricia Davis-Oliva, DAG

DEPUTY ATTORNEY GENERAL FOR THE STATE:

RESPONDENT: Kathleen Jones

COUNSEL FOR THE RESPONDENT:

WITNESSES FOR THE STATE:

WITNESSES FOR THE RESPONDENT: Jacqueline Nicklas

COURT REPORTER PRESENT: Juli LaBadia, Wilcox and Fetzer

TIME STARTED: 11:55 a.m.

The recorder took verbatim testimony. The Board members introduced themselves. Ms. Davis-Oliva described the reason for the hearing and confirmed Ms. Jones was present for the hearing. Ms. Davis-Oliva marked Board exhibit 1. Ms. Jones gave a statement into the record. The Board went off the record at 12:26 p.m. for deliberations. The Board went back on the record at 12:31 p.m. Mr. Price made a motion, seconded by Mr. Salati, to grant Ms. Jones a waiver for reinstatement. By majority vote, the motion carried with Mr. Maddex abstaining. The hearing concluded at 12:32 p.m.

HEARING MINUTES

HEARING – Kathleen Barkman

The Delaware Board of Nursing held a hearing on May 9, 2012, at 1:21 p.m. in the Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Suite 203, Dover, Delaware.

PRESENT: Evelyn Nicholson, Dianne Halpern, Pamela Tyranski, Robert Maddex, Harland Sanders, David Salati, Madelyn Nellius, Gwelliam Hines, Kathy Bradley, Mary Lomax, and Delphos Price

RECUSED:

EXCUSED: Tracy Littleton, Lyron Deputy, and Robert Contino

PURPOSE: Lift Suspension

PRESIDING: Evelyn Nicholson, President

BOARD STAFF: Pamela Zickafoose, Executive Director of Nursing, Sandra Wagner, Administrative Specialist III

DEPUTY ATTORNEY GENERAL FOR THE BOARD: Patricia Davis-Oliva, DAG

DEPUTY ATTORNEY GENERAL FOR THE STATE:

RESPONDENT: Kathleen Barkman

COUNSEL FOR THE RESPONDENT:

WITNESSES FOR THE STATE:

WITNESSES FOR THE RESPONDENT:

COURT REPORTER PRESENT: Juli LaBadia, Wilcox and Fetzer

TIME STARTED: 1:21 p.m.

The recorder took verbatim testimony. The Board members introduced themselves. Ms. Davis-Oliva described the reason for the hearing and confirmed Ms. Barkman was present for the hearing. Ms. Barkman gave a statement into the record. Ms. Davis-Oliva entered documents as Barkman exhibit 1. The Board went off the record at 1:30 p.m. for deliberations. The Board went back on the record at 1:33 p.m. Mr. Sanders made a motion, seconded by Dr. Lomax, to lift the suspension of Ms. Barkman's license to be reinstated only after she completes 3 more hours of continuing education. By unanimous vote, the motion carried. The hearing concluded at 1:34 p.m.