



Board of Nursing

Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P. H., Secretary

OPEN SESSION MINUTES JUNE 30, 2020 BOARD MEETING

Held at the Maryland Board of Nursing,
4140 Patterson Avenue, Baltimore, MD 21215,
and VIA Conference Call

Attendance

NAME	TITLE	PRESENT	ABSENT
Board Members			
Gary Hicks, RN	RN Member (Clinician), Board President	X	
Bonnie Oettinger, RN	RN Member (Delegating Nurse), Board Secretary	X	
Jennette Logan, DNP, RN	RN Member (Baccalaureate Nursing Educator)	X	
Ann Turner, RN	RN Member (Acute Care)	X	
Emalie Gibbons Baker, CNM	RN Member (APRN)	X	
Jenell Steele, RN	RN Member (APRN)	X	
Damare Vickers, LPN	LPN Member		X
Gregory David Raymond, RN	RN Member (Nurse Administrator)	X	
Brenda Overton, RN	RN Member (Practical Nursing Educator)	X	
Laura V. Polk, Ph.D., RN	RN Member (Associate Degree Nursing Educator)		X
Jocelyn Lyn-Kew, LPN	Licensed Nurse Member	X	
M. Dawne Hayward	RN Member (Delegating Nurse)		X
Mariah Dillon, RN	RN Member (APRN)	X	
Charles Neudstadt	Consumer Member	X	
Lois Rosedom-Boyd	Consumer Member	X	

June 30, 2020 Open Session Minutes

Board Counsel			
Michael Conti	Assistant Attorney General	X	
Lindsey Snyder	Assistant Attorney General	X	
Katherine Giblin	Assistant Attorney General	X	
Board Staff			
Karen Evans	Executive Director	X	
Rhonda Scott	Deputy Director	X	
Ciara Lee	Executive Assistant	X	
Amber Havens-Bernal	Discipline Department	X	
Lakia Jackson	Board Counsel Paralegal	X	
Shetarah Goodwin	HR Liaison and Manager of Licensure	X	
Dr. Shelia Green	Consultant, Education and Exams	X	
Dr. Patricia Kennedy	Director, Education and Exams	X	
Monica Mentzer	Director, Practice and Education	X	

Open Session

1. **Call to Order:** Lyn-Kew made a motion to go into open session. Dillon seconded the Motion. The motion passed unanimously. The open session began at 10:30 a.m.
 - A. Roll call and declaration of quorum: A roll call of the Board members was conducted, and a quorum of the Board was present.
 - B. Board of Nursing Updates: Karen Evans, Executive Director, provided updates regarding the following:
 1. The Board is still closed to the public but is teleworking and still processing applications and renewals. Director of Compliance is leaving the Board and vacancies are posted on the Board’s homepage. Authorizations to test are being completed in the order received, nursing graduates should be reminded of the complete process to get the authorization.
 2. Training will begin in July for GNA testing and working with Pearson to get more testing sites.
 3. Last month Gary was placed to continue as board president and Greg Raymond as board secretary.
 4. Oettinger made a motion to increase number of students being tested per session from eight to fifteen and alter time from 8am to midnight. Lyn-Kew seconded. The motion passed unanimously.
 5. Raymond made a motion to deny the request of Genesis to waive State testing for all pending nurse aide students who have graduated but were unable to register for the state exam due to test site closures during the pandemic and meet the criteria. Lyn-Kew seconded. The motion passed unanimously.

June 30, 2020 Open Session Minutes

- 2. Approval of Consent Agenda:** Lyn-Kew made a motion to approve the Consent Agenda. Oettinger seconded the motion. The motion passed unanimously.

Items A – D were reviewed and recommended for approval by the CNA Advisory Committee and the Practice and Education Committee

- A. Initial Certified Nursing Assistant (CNA) Training Program Seeking Board Approval:
 - None.
- B. Renewal of Approved CNA Training Programs:
 - 1. Dennett Road Manor (CNA/GNA)
 - 2. Fomen Nursing Assistant Training Academy (CNA/GNA)
 - 3. Dr. James A. Forrest Career and Technology Center (CNA)
- C. Renewal of Approved Certified Medicine Aide (CMA) Training Programs and CMA Updated Program:
 - 1. Harford Community College
 - 2. Allegany College of Maryland
 - 3. Anne Arundel Community College
 - 4. Montgomery College
- D. Approval for Faculty for Certified Nursing Assistant (CNA) Training Programs:
 - 1. Carol P. Johnson, (R236958), Genesis HealthCare, Catonsville Center
 - 2. Carol P. Johnson, (R236958), Genesis HealthCare, Cromwell Center
 - 3. Carol P. Johnson, (R236958), Genesis HealthCare, Franklin Wood Center
 - 4. Carol P. Johnson, (R236958), Genesis HealthCare, Powerback Rehabilitation, Brightwood Campus
 - 5. Joan Gannon, (R072530), Genesis HealthCare, Severna Park Center
 - 6. Joan Gannon, (R072530), Genesis HealthCare, Hammonds Lane Center
 - 7. Joan Gannon, (R072530), Genesis HealthCare, Spa Creek Center
 - 8. Donna Plante, (R123092), Genesis HealthCare, Waugh Chapel Center
 - 9. Barbara Gough, (R085814), Genesis HealthCare, Waugh Chapel Center
 - 10. Stacye Cooper, (R209664), Baltimore City Community College
 - 11. Shannon Gaines, (R178745), Baltimore City Community College
 - 12. Amanda Meeks, (R201491) Dennett Road Manor

3. Discussion of Items Removed from the Consent Agenda

None.

4. Education (Dr. Sheila Green, and Dr. Patricia Kennedy, Education Consultant)

Items B - D were reviewed and recommended for approval by the Practice and Education Committee

- A. Nursing Program Approval Process: Amendments to COMAR 10.27.03
 - 1. Oettinger made a motion to amend the approval process with clarifying changes. Rosedom-Boyd seconded the motion. Motion passed unanimously.

June 30, 2020 Open Session Minutes

- B. Bowie State University Action Plan
 - 1. Dillion made a motion to approve the action plan. Oettinger seconded the motion. Motion passed unanimously.
- C. Prince George's Community College Onboarding Plan
 - 1. Dillion made a motion to accept the onboarding plan for faculty. Lyn-Kew seconded. Motion passed unanimously.
- D. Radiance College
 - 1. Raymond made a motion to find Radiance College not substantially equivalent to the requirements of Maryland COMAR regulations for the ADN as well as the LPN program. Dillion seconded. Motion passed unanimously.
- E. Salisbury University
 - 1. Oettinger made a motion to approve Dr. Debra Webster as the undergraduate chair of nursing. Lyn-Kew seconded. Motion passed unanimously.
- F. Universidad Ana G. Mendez Action Plan sent to MBON AD-Hoc Committee for next steps
 - 1. On hold, the program in Texas and Maryland are closing. They will teach until December 2020; Students will move to another nursing program.

5. Certification (Monica Mentzer, Director, Practice and Education)

- A. A request was made to accept the six approved courses for CNA equivalency at the University of Delaware for nursing students to successfully complete and obtain an initial CNA certification in Maryland. Rosedom-Boyd made a motion to accept. Gibbons-Baker seconded. The motion passed unanimously.
- B. A request was made to approve the three courses that are required for CNA equivalency at Otterbein College in Westerville, OH for nursing students to successfully complete to obtain an initial CNA certification in Maryland. Lyn-Kew made a motion to accept. Dillion seconded. The motion passed unanimously.

6. Monthly Stats (Shetarah Goodwin, HR Liaison and Manager of Licensure)

- A. Licensing monthly stats for May 2020:
 - 1. RN by exam 45; RN by endorsement 65
 - 2. LPN by exam 13; LPN by endorsement 5
 - 3. Temporary RN 32; Temporary LPN 1
 - 4. Advanced Compact Nurse 32; Advanced Practice Nurses in all Categories 26; Total Advanced Practice RNs 58; Forensic Nurse Examiners 4, Worker's Compensation Medical Case Manager 17.
- B. Renewals monthly stats for May 2020:
 - 1. Registered nurses 3,097
 - 2. Licensed practical nurses 363
 - 3. Advanced Compact Nurses 27
 - 4. Advanced Practice Nurses in all Categories 345
 - 5. Total Advanced Practice Registered Nurses 372

June 30, 2020 Open Session Minutes

6. Forensic Nurse Examiners 4
7. Workers' Compensation Medical Case Manager 17.

7. **Legislative Affairs** (Rhonda Scott, Deputy Director)

None.

8. **Direct-Entry Midwives and Electrology** (Monica Mentzer, Manager, Practice)

None.

9. **Quarterly Reports**

None.

10. **Other**

A. RN/LPN Refresher Course Update

1. Thirty- five states have unlimited testing for NCLEX and Pearson VUE allows an applicant to test once every forty-five days.
2. The surrounding states, Delaware an applicant is required to take a NCLEX Review course, West Virginia applicants must take remedial or remediation course after failure. Virginia has no requirements. The goal of remediation is for the nurse or nursing student to gain knowledge or necessary behaviors to perform competently, safely, and successfully.
3. Form a small group from the Board to come up with a list of recommendations.

B. Elections

1. Eleven responses; unanimously Gary Hicks is Board President.
2. Unanimously Gregory Raymond is the Board Secretary.

Adjournment: President Gary Hicks walked through the written statement required by the Open Meetings Act to close an open session. The written statement is attached. At 11:35am, Logan made a motion to close the open session pursuant to the statutory authority and reasons cited in the written statement. Lyn-Kew seconded the motion. Motion passed unanimously.

June 30, 2020 Closed Session Summary

Closed Session was held from 11:51am to 12:47pm at 4140 Patterson Avenue, Baltimore MD 21215. The same Board members present for the open session were present for the closed session (unless recused from a particular matter). The authority for the closed session was Md. Code Ann., Gen. Prov. § 3-305(b)(13) in order to discuss confidential matters involving applicants for licensure/certification that are prohibited from public disclosure pursuant to Md. Code Ann., Health Occ. § 8-303(f), Health Occ. §§ 1-401 et seq., and/or Gen. Prov. § 4-333. The topics actually discussed were confidential matters involving applicants for licensure/certification.

The Board voted to take the following actions during closed session:

- Review of applicants with a criminal history:
 - License three (3) RN applicant;

June 30, 2020 Open Session Minutes

- Certify one (1) MT applicant.

(During the closed session, the Board also performed quasi-judicial and administrative functions that are not subject to the Open Meetings Act and are therefore not summarized above.)

Script for Closing Open Session

June 2020

In a moment, I am going to ask if there is a motion to close the open session, but first I am going to walk us through the written statement that is required by the Open Meetings Act to ensure that all Board members agree with its contents.

As documented in the written statement, the statutory authority to close this open session and meet in closed session is General Provisions § 3-305(b)(13), which gives the Board the authority to close an open session to comply with a specific statutory requirement that prevents public disclosure about a particular matter or proceeding. The topic to be discussed during closed session is applications for licensure and/or certification. The reason for discussing this topic in closed session is to discuss confidential matters that are prohibited from public disclosure by the Annotated Code of Maryland, Health Occupations Article, sections 8-303(f), 8-320(a), and 1-401 *et seq.*, and General Provisions Article section 4-333. In addition, the Board may also perform quasi-judicial and administrative functions involving disciplinary matters during the closed session.

Is there a motion to close this open session pursuant to the statutory authority and reasons cited in the written statement or any discussion thereof?

DeHinger Present

MARYLAND BOARD OF NURSING

Presiding Officer's Written Statement for Closing a Meeting under the Open Meetings Act (General Provisions Article § 3-305)

1. **Recorded vote to close the meeting:** Date: 6/30/2020 Time: 11:35 am
Location: 4140 Patterson Avenue, Baltimore, MD; Conference Call Line
Motion to close meeting made by: Logan Seconded by Lyn-Kew
Members in favor: Dillon, Raymond, Hicks, Lyn-Kew, Turner, Neustadt, Roseboro, Boyd,
Opposed: None Abstaining: None
Absent: Hayward, Vickers

Gibbons-Baker, Overton, Steele, Logan

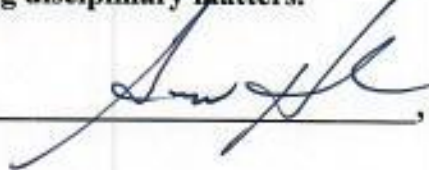
2. **Statutory authority to close session.** This meeting will be closed under General Provisions § 3-305(b) only:

(1)___ "To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals"; (2)___ "To protect the privacy or reputation of individuals concerning a matter not related to public business"; (3)___ "To consider the acquisition of real property for a public purpose and matters directly related thereto"; (4)___ "To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State"; (5)___ "To consider the investment of public funds"; (6)___ "To consider the marketing of public securities"; (7)___ "To consult with counsel to obtain legal advice"; (8)___ "To consult with staff, consultants, or other individuals about pending or potential litigation"; (9)___ "To conduct collective bargaining negotiations or consider matters that relate to the negotiations"; (10)___ "To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans"; (11)___ "To prepare, administer, or grade a scholastic, licensing, or qualifying examination"; (12)___ "To conduct or discuss an investigative proceeding on actual or possible criminal conduct"; (13) X "To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter"; (14)___ "Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process." (15)___ "To discuss cybersecurity, if the public body determines that public discussion would constitute a risk to: (i) security assessments or deployments relating to information resources technology; (ii) network security information . . . or (iii) deployments or implementation of security personnel, critical infrastructure, or security devices."

3. For each provision checked above, disclosure of the topic to be discussed and the Maryland Board of Nursing's reason for discussing that topic in closed session.

Citation	Topic	Reason for closed-session discussion of topic
§ 3-305(b) (13)	Applicants for Licensure/Certification	To discuss confidential information that is prohibited from public disclosure pursuant to Md. Code Ann., Health Occ. §§ 8-303(f), 8-320(a), and 1-401 <i>et seq.</i> , and Gen. Prov. § 4-333.
§ 3-305(b) ()		
§ 3-305(b) ()		

NOTE: During the Closed Session, the Maryland Board of Nursing may also perform quasi-judicial and administrative functions involving disciplinary matters.

4. This statement is made or adopted by , Presiding Officer, Maryland Board of Nursing.