



Iowa Board of Nursing

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BOARD MEETING MINUTES

April 7-8, 2021

9:00 a.m.

This electronic meeting of the Iowa Board of Nursing was held in accordance with Iowa Code section 21.8. The Code states that a governmental body may conduct a meeting by electronic means only if circumstances are such that a meeting in person is impossible or impractical and access is provided to the public. An in-person meeting of the Board to handle this limited agenda was impractical due to ongoing COVID-19 public health emergency. This electronic meeting originated in the conference room of the Iowa Board of Nursing office, 400 SW 8th Street, Suite B, Des Moines, IA, and public access to the meeting was provided at this location. The agenda was posted on the Board's Website and sent electronically to those individuals subscribing to GovDelivery.

Board in Attendance

Mark Odden, CRNA, ARNP, Chairperson
Kathryn Dolter, PhD, RN, Vice Chairperson
Nancy Kramer, EdD, RN
B.J. Hoffman (Joined 04/07/21 at 1:00
pm)
Amy Beltz, LPN
Gordon Goettsch, DDS

Staff

Kathy Weinberg, RN, Executive Director
Laura Hudson, RN, Associate Director CE/Workforce
Jimmy Reyes, RN, Associate Director Education/Practice
Maggie Schwarck, RN, Associate Director Licensure
Doug Bartels, Associate Director Enforcement
Bill Hansen, Enforcement
Eric Holsapple, Enforcement
Lucas Bee, Enforcement
Kathleen Beebout, RN, Enforcement
Diane Burkert, RN, Enforcement
Taunya Cunningham, RN, Enforcement
Anne Ryan, RN, Enforcement
Laci Olson, Enforcement

Rhonda Ruby, RN, INAP Coordinator
Michele Royer, INAP Case Manager
Tessa Register, Assistant Attorney General
Benjamin Flickinger, Assistant Attorney General
Alan Nagel, Assistant Attorney General
Tracey Westby, Enforcement Secretary
Karly Stamper, Secretary
David Brunk, Clerk Specialist
Margaret Armagost, Administrative Assistant

Audience:

Dawn Bowker, Iowa State University
Debbie Bomgaars, Dordt University
Jackie Barber, Morningside College
Sharon Guthrie, Mount Mercy University
Kimberly Brown, William Penn University
Beth Johanns, Iowa Valley Community College
Aleesa Simmons, Iowa Wesleyan University
Anita Nicholson, University of Iowa College of Nursing
Mary Dirks, University of Iowa College of Nursing

April 7, 2021

9:00 a.m. Mark Odden called the meeting to order.

Director Weinberg made an announcement that this meeting would be the last Iowa Board of Nursing meeting for Kathryn Dolter. Ms. Weinberg thanked Dr. Dolter for her six years of being a board member and for being so committed to the Iowa Board of Nursing, the profession of nursing, and protecting the public.

Kathryn Dolter thanked the Governor for appointing her as a board member and allowing her to serve for six years. Dr. Dolter also thanked Director Weinberg for her leadership of the Board, and the board staff, the Assistant Attorney Generals, and IT support for all of their assistance during her time as a board member. Dr. Dolter advised she looks forward to working with the Board and board staff as a member of the public.

On a motion by Nancy Kramer, seconded by Gordon Goettsch, the Board voted to adopt the agenda.

PUBLIC COMMENT

No public comment.

APPROVAL OF MINUTES

On a motion by Nancy Kramer, seconded by Amy Beltz, the Board voted to adopt the open minutes from the March 17, 2021, Conference Call.

On a motion by Nancy Kramer, seconded by Amy Beltz, the Board voted to adopt the closed minutes from the March 17, 2021, Conference Call.

ADMINISTRATIVE RULES

On a motion by Kathryn Dolter, the Board moved to adopt ARC 5460C, 655 IAC Chapter 3, Licensure to Practice Registered Nurse/Licensed Practical Nurse; Chapter 4, Discipline; Chapter 11, Examination of Public Records; Chapter 18 Military Service and Veteran Reciprocity.

On a motion by Nancy Kramer, seconded by Amy Beltz, the Board moved to file the new 655 IAC, Chapter 15, Waiver Rules, as amended, under notice of intended action.

On a motion by Amy Beltz, seconded by Gordon Goettsch, the Board moved to file the new 655 IAC, Chapter 2, Nursing Education Programs, as amended, under notice of intended action.

EDUCATION

Kathryn Dolter gave a verbal Committee Report.

On the motion of Kathryn Dolter, seconded by Nancy Kramer, the Board approved the Nursing Education Program Report submitted by Iowa State University, Ames.

On the motion of Kathryn Dolter, seconded by Nancy Kramer, the Board approved the Bachelor of Science in Nursing Program Progress Report submitted by Dordt University, Sioux Center.

On the motion of Kathryn Dolter, seconded by Nancy Kramer, the Board approved the Accelerated Bachelor of Science in Nursing Program Progress Report submitted by Mercy College of Health Sciences, Des Moines.

On the motion of Kathryn Dolter, seconded by Nancy Kramer, the Board approved the Paramedic to BSN Program Progress Report submitted by Mercy College of Health Sciences, Des Moines.

On the motion of Kathryn Dolter, seconded by Nancy Kramer, the Board approved the Doctor of Nursing Practice Program Progress Report submitted by Morningside College, Sioux City.

On the motion of Nancy Kramer, seconded by Kathryn Dolter, the Board approved the Doctor of Nursing Practice Program Progress Report submitted by Mount Mercy University, Cedar Rapids.

On the motion of Nancy Kramer, seconded by Kathryn Dolter, the Board approved the RN to BSN Program Progress Report submitted by Waldorf University, Forest City.

On the motion of Nancy Kramer, seconded by Kathryn Dolter, the Board approved the Bachelor of Science in Nursing Program Progress Report submitted by William Penn University, Oskaloosa.

On the motion of Nancy Kramer, seconded by Kathryn Dolter, the Board approved the Nursing Curriculum Modifications submitted by Iowa Valley Community College, Marshalltown.

On the motion of Nancy Kramer, seconded by Kathryn Dolter, the Board approved the Nursing Curriculum Modifications submitted by Iowa Wesleyan University, Mount Pleasant.

On the motion of Nancy Kramer, seconded by Kathryn Dolter, the Board approved the Nursing Program Modifications submitted by the University of Iowa College of Nursing, Iowa City.

Informational Items:

Administrative leadership changes, submitted by Graceland University, Lamoni.

Administrative leadership changes, submitted by Iowa Western Community College, Council Bluffs.

Kathryn Dolter provided the NCLEX RN and PN statistics for Iowa nursing programs for Quarter 1 2021. The statistics can be found on the Iowa Board of Nursing website.

CONTINUING EDUCATION

Amy Beltz provided a verbal committee report.

PROVIDER REPORT

New Providers:

None

Renewed Providers:

- 6 Iowa Western Community College, Council Bluffs
- 9 Southwestern Community College, Creston
- 14 Spencer Hospital, Spencer
- 308 UnityPoint at Home – West Des Moines

334 Henry County Health Center, Mt. Pleasant

372 Clarinda Regional Health Center, Clarinda

Voluntary Relinquishment(s):

None

WORKFORCE

Associate Director Laura Hudson provided a draft summary of the Iowa Center for Nursing Workforce *Demand Survey Report* scheduled for release in April 2021. The data for the report is a summary of the surveys sent to nurse employers throughout 2020. The report was conducted with the assistance of Iowa Workforce Development, Labor Market Information Division, with Katie Lippold, Research Economist, as the lead researcher. Production of the report was a strategic goal of the Iowa Center for Nursing Workforce Advisory Committee. The intent of the report is to provide information and insight to nurse employers, healthcare workforce planners, and policymakers about the steps they might take to recruit and retain nurses in Iowa.

INAP

Rhonda Ruby reported for the INAP program. Rhonda reported that a written INAP report was submitted to Board members with the Board materials that included information on program updates and program case statistics. INAP is scheduled to complete a taped podcast series by April, 2021. This production will be done in collaboration with other Board staff. Once completed, the podcast will be posted to IBON website and available for public and nursing programs. The scheduled topics discussed for the series include starting up in INAP, staying on track, managing struggles and successfully completing INAP. Kathy Weinberg also let Board members know that other IBON department podcasts are also planned including Enforcement, Licensure, and others as needed.

Rhonda reported to the Board on program statistics including active case status, the number of combinations and single case diagnosis, the case types and case type summary. Written information on case statistics were provided to Board members. Dr. Dolter asked questions regarding the pandemic and its effect on INAP participants. Rhonda explained the pandemic has resulted in an increase of noncompliance within the program and these instances of noncompliance are reviewed by the INAPC. Dr. Dolter had additional questions on national statistics with ATD success rates. Rhonda explained INAP's success rate fluctuates between 70-80%, which is well above national standards of approximately 60%. Michele Royer contributed information regarding INAP noncompliance cases and that the program is growing and during the pandemic relapses did seem to increase but has leveled of a little now. Michele also thanked Dr. Dolter for her Board service.

Recess at 10:11 AM

Reconvene at 10:20 AM

EXECUTIVE DIRECTOR'S REPORT

Director Weinberg gave the following report to the Board members:

The Board of Nursing April 2021 Financial Report was presented by Margaret Armagost and David Brunk.

Kathryn Dolter inquired about the potential to accept electronic transcripts and digital fingerprints in the future to facilitate the licensure process and if it would have an impact on the budget. Director Weinberg advised there could be a potential cost to make the appropriate updates to the system database but we will ultimately need to wait for the AMANDA 7 upgrade before we could pursue the potential for the electronic transcripts and/or digital fingerprints.

Gordon Goettsch inquired about continuing to use the Zoom platform for future conference calls and what the cost of that would entail. Director Weinberg advised that the cost for using the Zoom platform is by license. She advised there are a few individuals in the board office that have licenses currently. The plan is to maintain those licenses and continue to use the Zoom platform for the monthly conference calls as the cost is minimal for the year.

Mark Odden inquired whether we would continue to require the amount of office space currently needed as several individuals are now working from home and how that could impact the budget. Director Weinberg advised we would slowly transition back to allowing public back into the building and then bringing back staff. Staff does currently come into the office but as a staggered schedule to minimize exposures.

Director Weinberg advised that we would most likely continue to hold part of the Board Meetings as virtual but will eventually return to having some of the Board Meetings in person as well. She also advised that we are looking into getting equipment that allows the public to view the Board Meeting virtually while Board Members would be meeting in person. This technology is being looked into by all four Boards who would share the cost.

Director Weinberg reviewed the April Board of Nursing Update which was sent to Board members. This is an overview of rules currently in the rule making process, Board of Nursing advisory committees and other work being completed by the board staff. Board members did not have any questions.

Director Weinberg discussed the 2021 Legislative session. The Board members were sent an Excel spreadsheet with current legislation that the Board is tracking. Director Weinberg discussed SF487 with the Board members and how it could potentially impact the Board operations.

The Governor's Proclamation of Disaster Emergency was extended until May 2, 2021, which includes professional licensing relief. The Board of Nursing maintains a COVID section on the website which is updated to reflect the extension of the Proclamation and all licensing changes due to the pandemic.

Ms. Weinberg also gave an update on the Emergency Licenses that have been issued during the Pandemic. The difference in the average amount of time between passing the NCLEX and being

issued an Emergency license versus passing the NCLEX and being issued a permanent license has been minimal.

Director Weinberg presented options for 2022 and 2023 Board Meetings/Conference Call dates. Option 1 would remain in the same format that we currently hold Board Meetings/Conference Call dates which is typically about every four weeks. Option 2 would be a five week option that would spread out the time between meetings. Option 2 also eliminates two months from the meeting schedule. On a motion by Gordon Goettsch, seconded by Amy Beltz, the Board voted to adopt Option 2 for both 2022 and 2023.

PUBLIC COMMENT

No public comment.

ENFORCEMENT

Closed Session

At 11:29 a.m., on a motion made by Kathryn Dolter, seconded by Nancy Kramer, the Board voted unanimously by roll call vote to move into closed session pursuant to Iowa Code section 21.5(1)(a), to review or discuss records which are required or authorized by state or federal law to be kept confidential; pursuant to Iowa Code section 21.5(1)(d), to discuss whether to initiate licensee disciplinary investigations or proceedings; pursuant to Iowa Code section 21.5(1)(f), to discuss the decision to be rendered in a contested case conducted according to the provisions of chapter 17A; and pursuant to Iowa Code section 21.5(1)(h), to discuss specific law enforcement matters, such as allowable tolerances or criteria for the selection, prosecution, or settlement of cases, which if disclosed would facilitate disregard of requirements imposed by law.

Open Session

At 12:00 p.m., on a motion made by Kathryn Dolter, seconded by Gordon Goettsch, the Board returned to open session.

On the motion of Kathryn Dolter, seconded by Gordon Goettsch, the Board voted to approve the Notices of Hearing and Statement of Charges in the following cases:

20-194 Shawna Rainbolt
20-206 Amber Mick
20-208 Farrellin Rubaba
20-346 Joshua Spiewak
20-348 Jennifer Shoars
20-381 Janelle Haselby
20-426 Rachel Malone
20-452 Katie Bird
20-482 Keri Lais
20-487 Christina Larson
20-504 Romeo Tadije
20-506 Jamie Sprung

Recess at 12:04 PM
Reconvene at 1:00 PM

Closed Session

At 1:04 p.m., on a motion made by Kathryn Dolter, seconded by B.J. Hoffman, the Board voted unanimously by roll call vote to move into closed session pursuant to Iowa Code section 21.5(1)(a), to review or discuss records which are required or authorized by state or federal law to be kept confidential; pursuant to Iowa Code section 21.5(1)(d), to discuss whether to initiate licensee disciplinary investigations or proceedings; pursuant to Iowa Code section 21.5(1)(f), to discuss the decision to be rendered in a contested case conducted according to the provisions of chapter 17A; and pursuant to Iowa Code section 21.5(1)(h), to discuss specific law enforcement matters, such as allowable tolerances or criteria for the selection, prosecution, or settlement of cases, which if disclosed would facilitate disregard of requirements imposed by law.

Open Session

At 1:48 p.m., on a motion made by Kathryn Dolter, seconded by B.J. Hoffman, the Board returned to open session.

On the motion of Nancy Kramer, seconded by Kathryn Dolter, the Board voted to approve the Combined Statements of Charges, Settlement Agreements, and Final Orders for the following cases:

20-097 Cathleen McLaughlin
20-187 Nicole DeArmoun
20-223 Joanna Laugerman
20-308 Seth Kuipers
20-394 Stephanie Holloway
20-430 Cecily Sorensen

On a motion by Kathryn Dolter, seconded by Nancy Kramer, the Board voted to approve the Settlement Agreement and Final Orders for the following cases:

19-408 Wendy Heikes
19-569 Scott Perkins
20-043 Amy Hartwig
20-181 Vicki Stork
20-266 Antoinette Thompson
20-411 Alicia Kirk

On the motion of Nancy Kramer, seconded by Kathryn Dolter, the Board voted to approve the Stipulated Order for Licensure Reinstatement in the following case:

20-462 Donell Dittmer
21-035 Jenny Reese

On the motion of Kathryn Dolter, seconded by Stephanie Carr, the Board voted to close the Complaints and Investigative Reports Screening for the following cases:

20-417

On a motion by Kathryn Dolter, seconded by Amy Beltz the Board voted to close the following cases:

19-136	20-368	20-491	21-043
20-149	20-372	20-493	21-044
20-210	20-376	20-496	21-083
20-212	20-383	20-503	21-084
20-214	20-391	21-009	
20-309	20-449	21-010	
20-327	20-457	21-014	
20-359	20-460	21-028	
20-363	20-469	21-031	
20-364	20-483	21-038	

Recess at 1:53 p.m.

Reconvene at 2:07 p.m.

Hearing Case 19-232 Remona Brown

2:07 p.m. Emily Kimes-Schwiesow, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Remona Brown was present.

Assistant Attorney General Ben Flickinger represented the State in this matter.

The hearing was open.

Exhibits 1-9 were admitted into evidence on behalf of the State.

Witness for the State: Eric Holsapple, Investigator

Witness for the Respondent: William Nicholas

2:41 p.m. The record was closed.

Closed Session

2:41 p.m. On a motion by Kathryn Dolter, seconded by B.J. Hoffman, the Board voted unanimously by roll call vote to move into Closed Session in accordance with Iowa Code section 21.5(1)“f” to discuss the decision to be rendered in a contested case.

Open Session

2:44 p.m. On the motion of Kathryn Dolter, seconded by Gordon Goettsch, the Board returned to open session.

2:45 p.m. On a motion by Kathryn Dolter, seconded by Amy Beltz, the Board voted to direct Administrative Law Judge Emily Kimes-Schwiesow, to draft a Findings of Fact, Conclusions of Law, Decision and Order consistent with the Board’s deliberations for case 19-232 Remona Brown.

Recess at 2:45 p.m.

Reconvene at 3:00 p.m.

Hearing Case 18-139 Linda Anderson

3:52 p.m. Emily Kimes-Schwiesow, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Linda Anderson was present.

Assistant Attorney General Ben Flickinger represented the State in this matter.

The hearing was closed.

4:26 p.m. The record was closed.

Closed Session

4:26 p.m. On a motion by Kathryn Dolter, seconded by Amy Beltz, the Board voted unanimously by roll call vote to move into Closed Session in accordance with Iowa Code section 21.5(1)“f” to discuss the decision to be rendered in a contested case.

Open Session

4:28 p.m. On the motion of Kathryn Dolter, seconded by Gordon Goettsch, the Board returned to open session.

4:29 p.m. On a motion by B.J. Hoffman, seconded by Kathryn Dolter, the Board voted to direct Administrative Law Judge Emily Kimes-Schwiesow, to draft a Findings of Fact, Conclusions of Law, Decision and Order consistent with the Board’s deliberations for case 18-139 Linda Anderson.

Hearing Case 20-456 Angela Mayne

4:37 p.m. Emily Kimes-Schwiesow, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Angela Mayne was present.

Assistant Attorney General Alan Nagel represented the State in this matter.

The hearing was closed.

5:35 p.m. The record was closed.

Closed Session

5:35 p.m. On a motion by Kathryn Dolter, seconded by Gordon Goettsch, the Board voted unanimously by roll call vote to move into Closed Session in accordance with Iowa Code section 21.5(1)“f” to discuss the decision to be rendered in a contested case.

Open Session

5:48 p.m. On the motion of Kathryn Dolter, seconded by Gordon Goettsch, the Board returned to open session.

5:49 p.m. On a motion by Kathryn Dolter, seconded by Amy Beltz, the Board voted to direct Administrative Law Judge Emily Kimes-Schwiesow, to draft a Findings of Fact, Conclusions of Law, Decision and Order consistent with the Board’s deliberations for case 20-456 Angela Mayne.

April 8, 2021

8:00 a.m. reconvene in open session.

Hearing Case 19-182 Jamie Diehl-Davis

8:10 a.m. Kristine Dreckman, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Jamie Diehl-Davis was present.

Assistant Attorney General Alan Nagel represented the State in this matter.

David Brown represented Jamie Diehl-Davis in this matter.

The hearing was closed.

10:45 a.m. The record was closed.

Closed Session

11:46 a.m. On a motion by Kathryn Dolter, seconded by Amy Beltz, the Board voted unanimously by roll call vote to move into Closed Session in accordance with Iowa Code section 21.5(1)“f” to discuss the decision to be rendered in a contested case.

Open Session

11:17 a.m. On the motion of B.J. Hoffman, seconded by Gordon Goettsch, the Board returned to open session.

11:17 a.m. On a motion by B.J. Hoffman, seconded by Kathryn Dolter, the Board voted to direct Administrative Law Judge Kristine Dreckman, to draft a Findings of Fact, Conclusions of Law, Decision and Order consistent with the Board’s deliberations for case 19-182 Jamie Diehl-Davis.

Closed Session

At 11:18 a.m., on a motion made by Nancy Kramer, seconded by Amy Beltz, the Board voted unanimously by roll call vote to move into closed session pursuant to Iowa Code section 21.5(1)(a), to review or discuss records which are required or authorized by state or federal law to be kept confidential; pursuant to Iowa Code section 21.5(1)(d), to discuss whether to initiate licensee disciplinary investigations or proceedings; pursuant to Iowa Code section 21.5(1)(f), to discuss the decision to be rendered in a contested case conducted according to the provisions of chapter 17A; and pursuant to Iowa Code section 21.5(1)(h), to discuss specific law enforcement matters, such as allowable tolerances or criteria for the selection, prosecution, or settlement of cases, which if disclosed would facilitate disregard of requirements imposed by law.

Open Session

At 11:21 a.m., on a motion made by Gordon Goettsch, seconded by Amy Beltz, the Board returned to open session.

On a motion by Nancy Kramer seconded by Gordon Goettsch, the Board voted to approve the Findings of Fact, Conclusions of Law, Decision and Order for the following case:

20-169 Barbara Tindall

Recess until 1:00 p.m.

Hearing Case 20-177 Sheila Holm

1:02 p.m. Katie O’Neill, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Sheila Holm was not present.

Assistant Attorney General Ben Flickinger represented the State in this matter.

The hearing was open.

Exhibits 1-10 were admitted into evidence on behalf of the State with a protective order for Exhibit 6.

Witness for the State: Laci Olson, Investigator

1:10 p.m. The record was closed.

Closed Session

1:11 p.m. On a motion by Kathryn Dolter, seconded by Gordon Goettsch, the Board voted unanimously by roll call vote to move into Closed Session in accordance with Iowa Code section 21.5(1)“f” to discuss the decision to be rendered in a contested case.

Open Session

1:15 p.m. On the motion of Kathryn Dolter, seconded by Amy Beltz, the Board returned to open session.

1:16 p.m. On a motion by B.J. Hoffman, seconded by Kathryn Dolter, the Board voted to direct Administrative Law Judge Katie O’Neill, to draft a Findings of Fact, Conclusions of Law, Decision and Order consistent with the Board’s deliberations for case 20-177 Sheila Holm.

Recess at 1:17 p.m.

Reconvene at 2:00 p.m.

Hearing Case 20-065 Ashton Cicceti-Cody

2:02 p.m. Katie O’Neill, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Ashton Cicceti-Cody was not present.

Assistant Attorney General Ben Flickinger represented the State in this matter.

The hearing was open.

Exhibits 1-12 were admitted into evidence on behalf of the State with a protective order for Exhibits 6-9.

Witness for the State: Laci Olson, Investigator

2:12 p.m. The record was closed.

Closed Session

2:12 p.m. On a motion by Kathryn Dolter, seconded by Nancy Kramer, the Board voted unanimously by roll call vote to move into Closed Session in accordance with Iowa Code section 21.5(1)“f” to discuss the decision to be rendered in a contested case.

Open Session

2:25 p.m. On the motion of B.J. Hoffman, seconded by Gordon Goettsch, the Board returned to open session.

2:25 p.m. On a motion by Kathryn Dolter, seconded by Nancy Kramer, the Board voted to direct Administrative Law Judge Katie O’Neill, to draft a Findings of Fact, Conclusions of Law, Decision and Order consistent with the Board’s deliberations for case 20-065 Ashton Cicceti-Cody.

2:27 p.m. The meeting was adjourned.