

### **Iowa Board of Nursing**

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BOARD MEETING MINUTES January 19-21, 2022 9:00 a.m.

### Location

The board meeting was held electronically in accordance with Iowa Code section 21.8. Due to ongoing COVID-19 concerns, an in-person meeting was determined to be impossible or impractical. Public access to the electronic meeting was provided on the agenda.

### **Board in Attendance**

Mark Odden, CRNA, ARNP, Chairperson Nancy Kramer, EdD, RN Amy Beltz, LPN Gordon Goettsch, DDS Amber Mahrt, RN, MSN Ryan Stuck, BSN, RN, LNHA

#### **Board Members Excused**

None

#### Staff

Kathy Weinberg, RN, Executive Director Laura Hudson, RN, Associate Director CE/Workforce Jimmy Reyes, RN, Associate Director Education/Practice Doug Bartels, Associate Director Enforcement Rhonda Ruby, RN, INAP Coordinator Michele Royer, INAP Case Manager 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 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

### Audience:

Kim Bro, Mt. Mercy University
Lorraine Sacino-Murphy, St. Luke's College
Deb Bomgars, Dordt University
Deb Willyard, Mercy College of Health Sciences
Christa Steffens, Mercy College of Health Sciences
Jackie Barber, Morningside College
Tara Nichols, Waldorf University
Kimberly Brown, William Penn University
Lisa Rettenmeier, Clarke University
Mary Tobin, Iowa Wesleyan University
Kristy Schroeder, Southeastern Community College
Tamika Miller-Tate, Southeastern Community College

## January 19, 2022

9:01 a.m. Mark Odden called the meeting to order.

On a motion by Gordon Goettsch, seconded Amber Mahrt, the Board voted to adopt the agenda.

### **PUBLIC COMMENT**

No public comment.

### **APPROVAL OF MINUTES**

On a motion by Nancy Kramer, seconded by Amber Mahrt, the Board voted to adopt the open minutes from the December 8, 2021, Conference Call.

On a motion by Gordon Goettsch, seconded by Nancy Kramer, the Board voted to adopt the closed minutes from the December 8, 2021, Conference Call.

### **ADMINISTRATIVE RULES**

On a motion by Nancy Kramer, seconded by Gordon Goettsch, the Board moved to adopt ARC 6034C, Chapter 1, Administrative and Regulative Authority.

On a motion by Nancy Kramer, seconded by Amy Beltz, the Board moved to adopt ARC 6048C, Chapter 3, Licensure to Practice – Registered Nurse/Licensed Practical Nurse.

On a motion by Gordon Goettsch, seconded by Amy Beltz, the Board moved to adopt as amended ARC 6049C, Chapter 4, Discipline.

On a motion by Gordon Goettsch, seconded by Amy Beltz, the Board moved to file under Notice of Intended Action proposing new rules related to minimum standards for telehealth, 655 IAC chapters 6 and 7.

## MILITARY SERVICE EDUCATION/EXPERIENCE APPLICATION

On a motion by Nancy Kramer, seconded by Amy Beltz, the Board voted to deny the military service education/experience application for George Torgerson.

### **EDUCATION**

On the motion of Nancy Kramer, seconded by Amy Beltz, the Board approved Nursing Education Program Report, submitted by Luther College, Decorah.

On the motion of Nancy Kramer, seconded by Amy Beltz, the Board approved the Nursing Education Program Report, submitted by Mt. Mercy University, Cedar Rapids.

On the motion of Nancy Kramer, seconded by Amy Beltz, the Board approved the Nursing Education Program Report, submitted by St. Luke's College, Sioux City.

On the motion of Nancy Kramer, seconded by Amy Beltz, the Board approved the Nursing Program Modifications, submitted by St. Luke's College, Sioux City.

On the motion of Nancy Kramer, seconded by Amber Mahrt, the Board approved the application for interim approval for the Accelerated Bachelor of Science in Nursing Program, submitted by St. Luke's College, Sioux City.

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

On the motion of Nancy Kramer, seconded by Amber Mahrt, 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 Nancy Kramer, seconded by Amber Mahrt, the Board approved the following courses in the Bachelor of Science Nursing program: NUR 115, NUR 416.

On the motion of Amber Mahrt, 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 Nancy Kramer, seconded by Amber Mahrt, the Board approved the Master of Science in Nursing: Organizational and Systems Leadership Program Progress Report, submitted by Mercy College of Health Sciences, Des Moines.

On the motion of Nancy Kramer, seconded by Amber Mahrt, the Board approved the application for interim approval for the Practical Nursing program, submitted by Mercy College of Health Sciences, Des Moines.

On the motion of Amber Mahrt, seconded by Nancy Kramer, the Board approved the Doctor of Nursing Practice Program Progress Report, submitted by Morningside University, Sioux City.

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

On the motion of Amber Mahrt, seconded by Ryan Stuck, the Board approved the Bachelor of Science in Nursing Program Progress Report, submitted by William Penn University, Oskaloosa.

On the motion of Amber Mahrt, seconded by Amy Beltz, the Board approved the Nursing Program Modifications, submitted by Clarke University, Dubuque.

On the motion of Amber Mahrt, seconded by Amy Beltz, the Board approved the Nursing Curriculum Modifications, submitted by Iowa Wesleyan University, Mount Pleasant.

On the motion of Amber Mahrt, seconded by Gordon Goettsch, the Board approved the Nursing Curriculum Modifications, submitted by Southeastern Community College, West Burlington.

### Informational Items:

Administrative leadership changes, submitted by Des Moines Area Community College, Des Moines.

Administrative leadership changes, submitted by Purdue University Global, Des Moines.

Nancy Kramer provided the NCLEX RN and PN statistics for Iowa nursing programs for Quarter 4
2021. The statistics can be found on the Iowa Board of Nursing website.

Recess at 10:10 AM Return at 10:20 AM

### **CONTINUING EDUCATION**

Gordon Goettsch provided a verbal committee report.

### **PROVIDER REPORT**

#### **New Providers:**

384	PICC STAT Clinical Services LLC, Woodbury, MN
385	Universal Pediatrics, Urbandale
386	ToothBrushers and Balaam's Donkey, Springville
387	Guthrie County Hospital, Guthrie Center

# **Renewed Providers:**

53	VA Central Health Care System
72	St. Anthony Regional Hospital, Carroll
147	Heartland Area Education Agency 11, Johnston
337	Winneshiek Medical Center, Decorah
376	National Healthcare Institute, Coral Gables, Florida

## Voluntary Relinquishment(s):

None

#### WORKFORCE

Laura Hudson, Associate Director of CE/Workforce, advised that the Annual Report has been finalized and posted since the last board meeting. The Annual Report provides nursing supply and education data which combined with the Demand Survey has been very helpful for questions that have been received at the Board of Nursing.

The last workforce advisory committee meeting was held virtually in October, 2021. A presentation on achieving health equity was given. Laura also advised that the final document of the Strategic Plan was provided to the Board for review and that there is currently an open advanced practice position open on the advisory committee.

Laura reported that she, along with Kathy Weinberg and Jimmy Reyes, participated in a call with the Iowa Workforce Development regarding the topic of apprenticeships for nursing. There were no questions from the Board.

### **INAP**

Rhonda Ruby presented the INAP quarterly report to the Board. The report included program and case status updates. Rhonda reported INAP has been asked to be a part of the National Organization of Alternative to Discipline Program (NOAP) Research Committee. NOAP has begun a project seeking to identify a standard set of program performance measures that may be used for comparative and program improvement purposes. INAP along with all other state monitoring programs will submit routine program performance measures and program calculations. Rhonda also stated that she and Michele will attend the NOAP National Conference, May 2022. Rhonda also reported that all vacancies on the INAP Committee are filled. The INAPC is scheduled to conduct four in-person meetings and four Zoom meetings in 2022. Rhonda closed with presenting case statistics. There were not any questions from Board members.

### **EXECUTIVE DIRECTOR'S REPORT**

Director Weinberg gave the following report to the Board members:

The Board of Nursing January 2022 Financial Report was presented by David Brunk.

Director Weinberg advised that the legislative session started January 10, 2022. She advised that there is not currently any legislation that is really relevant to the Board of Nursing operations at this time. The Pharmacy bill that the Board voted to support back in October 2021 currently has no opposition so it will most likely go through with no issues.

Director Weinberg reviewed the January 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 advised that the National Council meeting is coming up soon which she will be attending. She advised that if any Board Members wish to attend the meeting, to let her know.

Director Weinberg provided an update regarding the Emergency Proclamation issued by the Governor.

Director Weinberg thanked Associate Director Laura Hudson for 9 years of service with the Iowa Board of Nursing. Laura has been a tremendous asset to the agency and the Board of Nursing.

### **ASSISTANT ATTORNEY GENERAL REPORT**

AAG Register provided an update on the recent Iowa Supreme Court case *Calcaterra v. Iowa Board of Medicine*. AAG Register advised that Board staff has changed its processes in response to the decision and will not publicize the factual circumstances found within an otherwise public Notice of Hearing and Statement of Charges prior to the contested case concluding. She explained the ruling does not prohibit the public from ever learning the factual circumstances, but rather changes when the public learns of the factual allegations.

#### **ENFORCEMENT**

On a motion made by Gordon Goettsch, seconded by Amy Beltz, the Board voted to approve the ARNP Application for the following case:

21-550 Shannon Powell

On a motion made by Amy Beltz, seconded by Gordon Goettsch, the Board voted to approve the ARNP Application for the following case:

22-001 Katherine Glantz

## **Closed Session**

At 11:01 a.m., on a motion made by Gordon Goettsch, seconded by Amy Beltz, the Board voted unanimously by roll call vote to move into closed session pursuant to lowa 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 lowa Code section 21.5(1)(d), to discuss whether to initiate licensee disciplinary investigations or proceedings; pursuant to lowa 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.

Recess at 11:04 AM Reconvened at 11:13 AM

## **Open Session**

At 12:33 p.m, the Board returned to open session.

On the motion of Nancy Kramer, seconded by Amy Beltz, the Board voted to approve the Voluntary Surrender of License for the following cases:

20-026 Temeshia Jacobs

21-157 Megen Sutton

On the motion of Nancy Kramer, seconded by Amy Beltz, the Board voted with Mark Odden recused to approve the Petition to Modify a Board Order for the following case:

19-321 Collin Willhite

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

20-316 Janelle Foster

20-319 Tara Dixon

21-056 Angela Brooks

21-085 Nicole McCarty

21-132 Takenya Mayers

21-138 Brooke Adams

21-165 Brittany Spooner

21-178 Kristy Herbrandson

21-192 Pamela Hook

21-242 Jayne Kragel

21-264 Abbey Belger

21-273 Danielle Chambers

21-351 Amy Hendrickson-Axinte

21-365 Anna Egbe

21-367 Enome Massango

21-428 Sharlene Thurn

21-437 Mary Clayton

21-455 Sarah Daringer

21-447 Kari Vandam

21-508 Bobbi Bartles

On the motion of Nancy Kramer, seconded by Amber Mahrt, the Board voted to issue an Amended Statement of Charges in the following case:

21-002 Katrina Steward

On the motion of Amy Beltz, seconded by Gordon Goettsch, the Board voted to approve the Combined Statements of Charges, Settlement Agreements, and Final Orders for the following cases:

21-064 Charise Lasley

21-095 Belinda Rasmuson-Oulman

21-096 Marc Anderson

21-112 Kendra Vanbuskirk

21-211 Karen Hubbell

21-223 Stephen Sherman

21-241 Christina Stone

On a motion by Gordon Goettsch, seconded by Nancy Kramer, the Board voted to approve the Agreement Not to Practice in the following case:

20-329 Kristen Knauss

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

20-004 Mona Taylor

20-265 James Dickerson

20-292 Miranda Figueroa

20-333 Kristine Wikner (Amy Beltz recused)

20-356 Nathan Tucker

20-380 Terry Seitz

20-463 Shawn Sandersfeld

21-023 Kori March

21-069 Kayla Johnson

21-109 Jennifer Mayberry

21-116 Derrick Miller

21-205 Ronda Eick

21-213 McKinsey Schurr

21-214 Rhonda Adkins

21-327 Jennifer Evins

21-353 Patrick Jones

On the motion by Amy Beltz, seconded Amber Mahrt, the Board voted to close the Complaints and Investigative Reports Screening for the following cases:

21-503

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

20-409	21-201	21-364	21-395	21-471
20-479	21-203	21-366	21-404	21-483
21-068	21-235	21-370	21-422	21-485
21-080	21-236	21-373	21-431	21-493
21-115	21-237	21-374	21-433	21-498
21-139	21-257	21-375	21-448	21-519
21-181	21-343	21-378	21-449	21-520
21-191	21-346	21-392	21-458	

Recess until January 20, 2022 at 9:00 a.m.

## January 20, 2022

9:13 a.m. reconvene in open session.

## Hearing Case 20-499 Angela Smith

Angela Smith was not present.

Assistant Attorney General Alan Nagel represented the State in this matter and filed a motion to dismiss charges.

### **Closed Session**

9:19 a.m. On a motion by Gordon Goettsch, 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**

9:22 a.m. The Board returned to open session.

9:23 a.m. On a motion by Amber Mahrt, seconded by Nancy Kramer, the Board voted to dismiss 20-499 Angela Smith.

## **Hearing Case 20-470 Kathlene Roush**

9:40 a.m. Kristine Dreckman, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Kathlene Roush was present.

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

The hearing was closed.

10:35 a.m. The record was closed.

### **Closed Session**

10:36 a.m. On a motion by Amber Mahrt, 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

10:46 p.m. The Board returned to open session.

10:46 a.m. On a motion by Gordon Goettsch, seconded by Amy Beltz, 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 20-470 Kathlene Roush.

### Hearing Case 21-179 & 21-333 Michael Slifka

11:16 a.m. Kristine Dreckman, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Michael Slifka was present.

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

The hearing was closed.

12:03 p.m. The record was closed.

### **Closed Session**

12:04 p.m. On a motion by Gordon Goettsch, seconded by Amber Mahrt, 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**

12:34 p.m. The Board returned to open session.

12:35 p.m. On a motion by Amber Mahrt, seconded by Gordon Goettsch, 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 cases 21-179 & 21-333 Michael Slifka.

# **Hearing Case 21-216 Kelsey Baxter**

1:12 p.m. Katie O'Neill, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Kelsey Baxter was present.

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

The hearing was closed.

1:49 p.m. The record was closed.

#### Closed Session

1:50 p.m. On a motion by Gordon Goettsch, seconded by Amber Mahrt, 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**

2:05 p.m. The Board returned to open session.

2:06 p.m. On a motion by Ryan Stuck, seconded by Gordon Goettsch, 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 21-216 Kelsey Baxter.

## Hearing Case 21-318 Allison Krawza

3:05 p.m. Katie O'Neill, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Allison Krawza was not present.

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

The hearing was open.

Exhibits 1-7 and 2A were admitted into evidence on behalf of the State.

Witness for the State: Eric Holsapple, Investigator

3:15 p.m. The record was closed.

## **Closed Session**

3:15 p.m. On a motion by Amber Mahrt, 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**

3:29 p.m. The Board returned to open session.

3:29 p.m. On a motion by Amber Mahrt, seconded by Ryan Stuck, 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 21-318 Allison Krawza.

### **Closed Session**

At 3:33 p.m., on a motion made by Gordon Goettsch, seconded by Amber Mahrt, 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 lowa Code section 21.5(1)(d), to discuss whether to initiate licensee disciplinary investigations or proceedings; pursuant to lowa 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.

### **Open Session**

At 3:38 p.m, the Board returned to open session.

On a motion by Nancy Kramer, seconded by Amber Mahrt, the Board voted to approve the Settlement Agreement and Final Orders for 19-227 Patricia Petrak.

On a motion by Nancy Kramer, seconded by Gordon Goettsch, the Board voted to approve the Stipulated Order for Licensure Reinstatement in the following cases:

21-252 Allison McGrann

21-299 Elizabeth McPeak

## Hearing Case 20-393 Mark Hill

4:05 p.m. Katie O'Neill, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Mark Hill was not present.

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

The hearing was open.

Exhibits 1-9 and 2A were admitted into evidence on behalf of the State.

Witness for the State: Lucas Bee, Investigator

4:18 p.m. The record was closed.

# **Closed Session**

4:19 p.m. On a motion by Amber Mahrt, 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**

4:27 p.m. The Board returned to open session.

4:27 p.m. On a motion by Amber Mahrt, 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 20-393 Mark Hill.

Recess until January 21, 2022 at 10:00 a.m.

### January 21, 2022

10:00 a.m. reconvene in open session.

## **Hearing Case 21-329 Teresa Heithoff**

10:19 a.m. Kristine Dreckman, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Teresa Heithoff was present.

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

The hearing was closed.

11:17 a.m. The record was closed.

## **Closed Session**

11:17 a.m. On a motion by Amber Mahrt, 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

11:27 a.m. The Board returned to open session.

11:28 a.m. On a motion by Ryan Stuck, seconded by Gordon Goettsch, 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 21-329 Teresa Heithoff.

Recess at 11:29 a.m.

Reconvene at 1:00 p.m.

### **Hearing Case 20-444 Alicia Schoolcraft**

1:07 p.m. Kristine Dreckman, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Alicia Schoolcraft was present.

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

The hearing was closed.

1:41 p.m. The record was closed.

## **Closed Session**

1:42 p.m. On a motion by Gordon Goettsch, seconded by Amber Mahrt, 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**

2:29 p.m. The Board returned to open session.

2:29 p.m. On a motion by Amber Mahrt, seconded by Amy Beltz, 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 20-444 Alicia Schoolcraft.

2:30 p.m. On the motion of Amy Beltz, seconded by Ryan Stuck, the Board voted to adjourn.