



Iowa Board of Nursing
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BOARD MEETING MINUTES

April 5-7, 2023

8:00 a.m.

The meeting was held in the Board of Nursing Health Professions Conference Room, 400 SW 8th Street, Suite H, Des Moines, Iowa 50309. Public access was provided both in-person and remotely via the Zoom platform. Instructions for remote attendance were provided on the agenda. The agenda was posted on the Board's website and sent electronically to those individuals subscribing to GovDelivery.

Board in Attendance

Amber Mahrt, RN, MSN, Chairperson
Ryan Stuck, BSN, RN, LNHA
Jackie Barber, EdD, MSN, RN, CNS, CNL
Brian Feist, BSN, RN

Board Not in Attendance

Gordon Goettsch, DDS, Vice Chairperson
Amy Beltz, LPN
Casey Kenneavy, LNHA

Staff

Kathy Weinberg, RN, Executive Director
Kendra Lindloff, RN, Associate Director CE/Workforce
Doug Bartels, Associate Director Enforcement
Rhonda Ruby, RN INAP Coordinator
Michele Royer, INAP Case Manager
Bill Hansen, Enforcement
Eric Holsapple, Enforcement
Kathleen Beebout, RN, Enforcement
Taunya Cunningham, RN, Enforcement
Anne Ryan, RN, Enforcement
Laci Olson, Enforcement

Aaron Kephart, RN, Enforcement
Tessa Register, Assistant Attorney General
Tyler Eason, Assistant Attorney General
Katie Carl, Assistant Attorney General
Tracey Westby, Enforcement Secretary
Emily Nordstrom, Secretary

Audience:

Jimmy Reyes
Deb Bomgaars
Maureen Weaver
Anna Weepie
Kristi Schroeder
Katrina Browning
Candace Chihak
Tara Nichols
Kimberly Brown
Tonya Holian
Kelly Van Ree
Tammy Shimon
A. Nelton
Natalia Thilges
Brenda Irlbeck
Nancy Kertz
Shannon Merk
Tiffany Everson
Kim Bro
Teri Peterson
Dawn Bowker
Lisa Laughlin
Angela Kueny

April 5, 2023

9:04 a.m. Amber Mahrt called the meeting to order.

ANNOUNCEMENTS

The Board will only meet on Wednesday, April 5 and Thursday, April 6.

ADOPTION OF AGENDA

On a motion by Ryan Stuck, seconded by Brian Feist, the Board voted to adopt the agenda as amended.

PUBLIC COMMENT

No public members provided comment.

APPROVAL OF MINUTES

On a motion by Jackie Barber, seconded by Ryan Stuck, the Board voted to approve the February 22, 2023 open session minutes.

On a motion by Jackie Barber, seconded by Ryan Stuck, the Board voted to approve the February 22, 2023 closed session minutes.

APPOINTMENT OF BOARD CHAIR AND VICE CHAIR

On a motion by Ryan Stuck, seconded by Jackie Barber, the Board appointed Amber Mahrt as the Board Chair.

On a motion by Ryan Stuck, seconded by Brian Feist, the Board appointed Gordon Goettsch as the Vice Board Chair.

APPROVAL OF 2025 BOARD MEETING AND CONFERENCE CALL DATES

On a motion by Ryan Stuck, seconded by Brian Feist, the Board approved the Board meeting and conference call dates for 2025.

UPDATE ON LPN HEALTH ASSESSMENT COURSE COMMITTEE

Director Weinberg provide a summary to the Board of the committee’s progress. The entire committee has met twice and the sub-education committee has met twice.

The education sub-committee did draft the following proposed course objectives:

1. Demonstrate assessment techniques appropriate for the focused physical and health assessment being performed.
2. Demonstrate a comprehensive head-to-toe physical and health assessment for an adult.
3. Identify abnormal physical and health assessment findings. Discuss appropriate health care provider notification based on abnormal findings.
4. Discuss assessment findings consistent with the aging process.
5. Accurately document the physical and other health assessment data collected during a comprehensive health assessment.

Kelly Van Ree, Leading Age Iowa, and Brenda Irlbeck, Iowa Health Care Association, presented information to the Board concerning the current workforce crisis and the need for LPNs to be allowed to perform initial and change in condition assessments.

Ms. Van Ree and Ms. Irlbeck provided a summary of the different types of nursing facilities in which LPNs could be allowed to perform health assessments. The different types of facilities include: Assisted Living Programs, Residential Care Facilities, Adult Day Services, Skilled Nursing Facilities and Nursing Facilities (long term care facilities).

Next steps to consider is the development of the actual LPN Health Assessment course, requirements, and guidelines for taking the course and, among other items, the mechanism to take and complete the course. The sub-education committee will plan to meet in the next month to continue the development of the course.

EDUCATION

Ryan Stuck gave a summary of the education committee meeting.

Iowa Wesleyan

No representative was present.

On the motion of Jackie Barber, seconded by Ryan Stuck, the Board accepted the Nursing Education Program Report and grant approval for a period of six years to the Licensed Practical Nursing to Bachelor of Science in Nursing (LPN to BSN) and Bachelor of Science in Nursing programs, submitted by Iowa Wesleyan, Mount Pleasant.

Iowa Lakes Community College

Tammy Shimon was present.

On the motion of Jackie Barber, seconded by Ryan Stuck, the Board accepted the following Nursing Education Program changes to Associate Degree and Practical Nursing programs, submitted by Iowa Lakes Community College, Emmetsburg:

- Remove English Composition II as a co-requisite of the Associate Degree program starting fall 2023.
- Acceptance criteria changes:
 1. A student must attain a GPA of 2.5 or higher in the following college level science courses:
 - a. Human Anatomy and Physiology I and Lab (BIO-168), 4 credits, Grade of C or higher
 - b. College Chemistry and Lab (CHM-151), 4 credits, Grade of C or higher
 - c. Introductory Biology and Lab (BIO-105), 4 credits Grade of C or higher
 2. Submit ACT results
 - a. Composite score of 19. No Superscores will be accepted.
 - b. The composite score will be based on English, reading, mathematics, and science scores. The additional "Writing Test" is not required.

- c. Students must request ACT to send official results to the Iowa Lakes Admissions Office. Hand delivered results will not be accepted.
 - d. To register for the ACT, visit <http://www.actstudent.org>
 - e. No ACT is required for students with a degree from an accredited college or university.
3. For current LPNs, the requirements are as follows
- a. Hold an unencumbered Practical Nursing license, verified by NURSYS for LPN to ADN Option students.
 - b. Meet all other ADN requirements with syllabi review of the completed Practical Nursing program.
 - c. LPNs entering will receive 8 credits for Nursing Concepts I and Dosage Calculations; all other requests will be evaluated.
 - d. No ACT is required due to licensure.

On the motion of Jackie Barber, seconded by Ryan Stuck, the Board accepted the following program changes to Associate Degree and Practical Nursing programs, submitted by Iowa Lakes Community College, Emmetsburg:

- The passing percentage grading scale from 77% to 78% for students starting fall 2023.

Mercy College of Health Sciences

No representative was present.

On the motion of Jackie Barber, seconded by Ryan Stuck, the Board accepted the Practical Nursing Program Progress Report, submitted by Mercy College of Health Sciences, Des Moines.

On the motion of Jackie Barber, seconded by Ryan Stuck, the Board accepted the following Associate of Science in Nursing Program Progress Report, submitted by Mercy College of Health Sciences, Des Moines:

- Current enrollment of 101 students in Associate of Science in Nursing program.
- The LPN/ASN 1+1 program will begin enrolling in fall of 2023.

On the motion of Jackie Barber, seconded by Ryan Stuck, the Board accepted the following Bachelor of Science in Nursing Program Progress Report, submitted by Mercy College of Health Sciences, Des Moines:

- Current enrollment: 210 students in the traditional BSN program.
- There are 17 faculty members at this time.

On the motion of Jackie Barber, seconded by Ryan Stuck, the Board accepted the Accelerated Bachelor of Science in Nursing Program Progress Report, submitted by Mercy College of Health Sciences, Des Moines.

- Current enrollment: 197 students in the Accelerated BSN program.
- There are 15 faculty members at this time.

On the motion of Jackie Barber, seconded by Ryan Stuck, the Board accepted the Masters of Science in Nursing: Organizational and Systems Leadership Program Progress Report submitted by Mercy College of Health Sciences, Des Moines.

- Current enrollment: 2 students in the MSN program.
- There are 2 adjunct faculty members at this time.

University of Northern Iowa

Nancy Kertz was present.

On the motion of Jackie Barber, seconded by Ryan Stuck, the Board accepted the Program Proposal for Bachelors of Science in Nursing program, submitted by University of Northern Iowa, Cedar Falls.

Per Iowa Administrative Code, Nursing Board[655], chapter 2.3(4), the controlling institution shall submit program progress reports four weeks prior to each regularly scheduled Board meeting until full approval as described in rule 2.4(152) is granted by the Board.

St. Ambrose University

Katrina Browning was present.

On the motion of Jackie Barber, seconded by Ryan Stuck, the Board accepted the Nursing Education Program modification, submitted by St. Ambrose University, Davenport.

St. Luke's College

Shannon Merk was present.

On the motion of Jackie Barber, seconded by Ryan Stuck, the Board accepted the Accelerated Bachelor of Science report, submitted by St. Luke's College, Sioux City.

Informational Items:

Delaying start of Accelerated Bachelor of Science in Nursing Program Informational notice submitted by Clarke University, Dubuque.

First Quarter NCLEX® PN and RN results. Ryan Stuck provided the report for the first quarter reports for NCLEX® PN and RN results.

Closure of Iowa Wesleyan, Mount Pleasant.

CONTINUING EDUCATION

Kendra Lindloff provided a verbal committee report.

NEW PROVIDERS:

Unity Point Health – Finley Hospital #390

RENEWED PROVIDERS:

- AORN of Dubuqueland #1602
- Dallas County Hospital
- UnityPoint Health- St. Luke’s
- Cass County Health
- MercyOne New Hampton
- Crawford County Memorial Hospital
- Mercy Medical Center- Clinton, IA

VOLUNTARY RELINQUISHMENT:

Quality Management Consultants

WORKFORCE REPORT

Kendra Lindloff provided a verbal committee report. The Workforce Advisory committee met in January. They spoke about LPN assessments, as well as the possibility of apprenticeships. The committee is projected to meet again in May to discuss retention strategies. Kendra Lindloff also provided a verbal update of the trends report.

INAP REPORT

Rhonda Ruby provided an update to the Board. Rhonda and Michele will attend the National Organization of Alternative to Discipline Program (NOAP) Conference, May 15-19, 2023. The conference is held in Orlando, Florida. NOAP was established to promote public safety by developing alternatives to licensure discipline, promoting safe practice and retention through rehabilitation, monitoring, research education and standardization of programs; and to collaborate with other professional and consumers to achieve those outcomes. Attending NOAP assists INAP to establish best practices for the prevention, identification, and monitoring of health professionals with substance use disorders.

INAP COMMITTEE

The INAPC met on 03/07/2023 in-person for the quarterly meeting for an all-day meeting. The INAPC reviewed four program updates, one INAP case review and eight participants appeared at the meeting. The next INAPC Zoom meeting will be May 9, 2023. The next quarterly meeting is 06/13/2023 and will be in-person.

INAP CASE STATISTICS

Cases Status	
Total # of active cases (initial agreement and or contract)	40

Successful Completions (graduates)	84
Total # of inactive cases	8
Total # of secondary monitoring	2
Total # of cases determined to NOT need monitoring	42
Referred to INAP awaiting self-report or interview	1
Death	2
Non Compliance cases	58
Total # Cases Processed	237

EXECUTIVE DIRECTOR’S REPORT

Director Weinberg gave the following report to the Board members:

Rules Update:

The Board approved amendments to IAC 655, Chapter 7 which allows ARNPs to prescribe opioid antagonists to schools and to prescribe bronchodilators and other devices to schools. There were no comments received and the rules are enacted April 12, 2023.

The Board voted to Notice for Intended Action amendments to IAC 655, Chapter 18 to provide priority to, and expedited review of, an application for licensure submitted by a veteran or spouse of an active duty member of the military forces of the United States with a nursing license in another jurisdiction. These rules are still in the rule making process.

Legislative Update:

House File 265 - Midwife Licensure Bill – This bill would provide licensure to Certified Professional Midwives and establish an independent Board. The bill was passed out of the House chamber and is currently in the Senate.

Senate File 75 – Rural Emergency Hospitals was passed and signed by the Governor in March. This bill will establish emergency hospitals in rural communities. The 25-bed hospitals will admit individuals up to 24 hours with the intent to discharge the patient or transfer them to a larger facility.

Senate File 514 – Governor’s Alignment Bill was passed and signed by the Governor. This bill aligns 37 cabinet-level agencies from 37 to 16. The division of Professional Licensing and Regulation, which is currently under the Department of Health and Human Services, will transition to the Department of Inspections and Appeals with several other licensing boards. The Department will be referred to as the Department of Inspections and Appeals and Licensing (DIAL). The bill will take effect on July 1, 2023.

National Licensure Compact:

Director Weinberg attended the Annual Nurse Licensure Compact meeting in Seattle, Washington in March. There are currently 39 states which are members of the compact, and several states have introduced legislation.

Division of Professional Licensure and Regulation – Department of Inspections and Appeals and Licensing (DIAL):

Director Larry Johnson has held several town halls with staff.

It is very likely the boards will be moving from Riverpoint to another state building. The search for the location is in process. Director Johnson would like all DIAL staff located in two buildings. The search for a new database for DIAL is in process.

Red Tape Review:

Governor Reynolds signed Executive Order Number 10 issuing a moratorium on rulemaking and ordering a comprehensive review of all administrative rules. The Board of Nursing will need to have this completed by September, 2024.

Board Members:

Ryan Struck, Casey Kenneavy, and Amy Beltz have been reappointed to the Board for a second term. All seven Board member positions are filled.

Miscellaneous:

National Council of States Board of Nursing (NCSBN) will hold its annual meeting in August, 2023 in Chicago.

NCSBN released the Next Generation NCLEX Exam on April 1, 2023.

ENFORCEMENT

On a motion by Jackie Barber, seconded by Ryan Stuck, the Board voted to approve the Reactivation Applicant for case 23-097 Mona Jones.

Closed Session

At 10:45 a.m., On a motion made by Ryan Stuck, seconded by Brian Feist, 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; and pursuant to Iowa Code section 21.5(1)(d), to discuss whether to initiate licensee disciplinary investigations or proceedings; and 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.

Open Session

At 10:36 p.m., the Board returned to open session.

On a motion by Ryan Stuck, seconded by Jackie Barber, the Board voted to approve the ARNP Applicant for case 23-091 Keri Loftus.

On the motion of Brian Feist, seconded by Ryan Stuck, the Board voted to approve the Notice of Hearing and Statement of Charges for the following cases:

21-190 Carmette Mosley
22-122 Jessalyn Brockman
22-258 Amy Drea
22-303 Sheldon Cowan
22-378 Marlys Highland
22-406 Eleanor McDonald
22-421 Emily Mott
22-522 Jessica Klever
22-524 Katie Dykstra
22-576 Fnu Sokem
23-043 Lizette Ngamalue
23-092 Mamie Soa Sackie Paye

On a motion by Brian Feist, seconded by Ryan Stuck, the Board voted to approve the Combined Statement of Charges, Settlement Agreement, and Final Orders on the following cases:

22-319 Ranae Fallis
22-382 Lora Hyde
22-391 Lora Hyde
22-396 Rebecca Wilson
22-440 Jeri Moore
22-443 Rebecca Winter
22-470 Roberta Landon
22-472 Pamela Mottet
22-500 Christine Sents
22-501 Christina Kroner

On a motion by Brian Feist, seconded by Ryan Stuck, the Board voted to approve the Settlement Agreement and Final Orders on the following cases:

20-272 Rebecca Ikoba
21-450 Heather Eason
22-215 Michelle Locher
22-249 Meggan Turnure
22-273 Tara Sheets
22-283 & 22-340 Patricia Egbuna

22-031 Sara McAnulty
 22-313 Steven Correll
 22-346 Sheryl Trailer
 22-388 Dori Dreckmeier
 22-431 Joel Anderson
 22-441 Mindy Jones

On a motion by Brian Feist, seconded by Ryan Stuck, the Board voted to approve the Confidential Orders for Evaluation in case 22-460.

On a motion by Jackie Barber, seconded by Brian Feist, the Board voted to close the following cases:

21-263	22-222	22-494	23-003
22-040	22-241	22-495	23-025
22-041	22-242	22-496	23-052
22-047	22-268	22-497	23-058
22-083	22-366	22-499	23-082
22-086	22-408	22-550	23-089
22-087	22-415	22-557	23-090
22-137	22-416	22-558	23-104
22-152	22-430	22-563	23-105
22-184	22-442	22-564	23-106
22-220	22-467	22-571	23-107
22-221			

On a motion by Jackie Barber, seconded by Ryan Stuck, the Board voted to approve the Finding of Fact, Conclusions of Law, Decisions and Orders on the following cases:

21-512 Elizabeth Harvey
 22-237 Tara Klein
 22-321 Deborah Phillips
 22-351 Michelle Lawton

Recess until 2:00 p.m.

Hearing Case 22-173 Jeannie Murphy

2:18 p.m. Emily Kimes, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Jeannie Murphy was not present.

Assistant Attorney General Katie Carl represented the State in this matter.

The hearing was open.

The Board granted a continuance for case 22-173 Jeannie Murphy.

Hearing Case 22-394 Alicia Davis

3:05 p.m. Emily Kimes, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Alicia Davis was not present.

Assistant Attorney General Tyler Eason represented the State in this matter.

The hearing was open.

Exhibits 1-4 were admitted into evidence on behalf of the State.

Witness for the state: Taunya Cunningham, Investigator

3:33 p.m. The record was closed.

3:34 p.m. On a motion by Jackie Barber, seconded by Brian Feist, 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.

At 3:55 p.m., the Board returned to open session.

3:55 p.m. On a motion by Ryan Stuck, seconded by Jackie Barber, the Board voted to direct Administrative Law Judge Emily Kimes, to draft a Findings of Fact, Conclusions of Law, Decision and Order consistent with the Board’s deliberations for case 22-394 Alicia Davis.

Hearing Case 22-361 Morgan Miralles

4:15 p.m. Emily Kimes, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Morgan Miralles was not present.

Assistant Attorney General Katie Carl represented the State in this matter.

The hearing was open.

Exhibits 1-5 were admitted into evidence on behalf of the State.

Witness for the state: Laci Olson, Investigator

4:32 p.m. The record was closed.

4:33 p.m. On a motion by Jackie Barber, seconded by Ryan Stuck, 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.

At 4:44 p.m., the Board returned to open session.

4:45 p.m. On a motion by Jackie Barber, seconded by Ryan Stuck, the Board voted to direct Administrative Law Judge Emily Kimes, to draft a Findings of Fact, Conclusions of Law, Decision and Order consistent with the Board’s deliberations for case 22-361 Morgan Miralles.

The Board recessed until April 6, 2023 until 8:00 a.m.

April 6, 2023

Hearing Case 22-185 Dorothy Thompson

8:40 a.m. Katie O’Neill, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Dorothy Thompson was present.

Assistant Attorney General Katie Carl represented the State in this matter.

The hearing was closed.

9:21 a.m. The record was closed.

9:21 a.m. On a motion by Jackie Barber, seconded by Ryan Stuck, 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.

At 9:45 a.m., the Board returned to open session.

9:45 a.m. On a motion by Ryan Stuck, seconded by Brian Feist, 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 22-185 Dorothy Thompson.

Hearing Case 22-202 Amanda Wallace

10:05 a.m. Katie O'Neill, Administrative Law Judge, Department of Inspections and Appeals opened the record.

Amanda Wallace was not present.

Assistant Attorney General Tyler Eason represented the State in this matter.

The hearing was open.

Exhibits 1-4 were admitted into evidence on behalf of the State.

Witness for the state: Taunya Cunningham, Investigator

10:18 a.m. The record was closed.

10:18 a.m. On a motion by Jackie Barber, seconded by Ryan Stuck, 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.

At 10:26 a.m., the Board returned to open session.

10:26 a.m. On a motion by Jackie Barber, 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 22-202 Amanda Wallace.

10:27 a.m. On a motion by Jackie Barber, seconded by Ryan Stuck, the board returned to closed session.

10:30 a.m. The Board returned to open session.

On the motion by Brian Feist, seconded by Ryan Stuck, the Board voted to approve the Settlement Agreement and Final Orders on 21-388 Jeffrey Roberts

On the motion by Brian Feist, seconded by Ryan Stuck, the Board voted to approve the Agreement Not to Practice for case 22-052 Benjamin Albert.

On the motion by Brian Feist, seconded by Ryan Stuck, the Board voted to approve the Voluntary Surrender of Licensure for case 21-150 Angela Freeman.

On a motion by Brian Feist, seconded by Ryan Stuck, the Board voted to approve the Finding of Fact, Conclusions of Law, Decisions and Orders on case 22-385 Mary Clayton.

10:34 a.m. On the motion of Ryan Stuck, seconded by Brian Feist, the Board voted to Adjourn.