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COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

**F I N A L M I N U T E S**

MEETING OF:

**STATE BOARD OF NURSING**

TIME: 9:01 A.M.

Held at

**PENNSYLVANIA DEPARTMENT OF STATE**

2525 North 7th Street

CoPA HUB, Eaton Conference Room

Harrisburg, Pennsylvania 17110

as well as

**VIA MICROSOFT TEAMS**

September 10, 2024

State Board of Nursing  
September 10, 2024

BOARD MEMBERS:

- Colby P. Hunsberger, DNP, RN, CNEcl, Chair
- Arion R. Claggett, Acting Commissioner, Bureau of Professional and Occupational Affairs
- Donald H. Bucher, DNP, CRNP, ACNP-BC, FAANP, Vice Chair
- Kathryn L. Capiotis, MSN, BSN, RN
- Charlene W. Compher, PhD, RD, LDN, FASPEN - Absent
- Susan Hellier, PhD, DNP, FNP-BC
- Sue E. Hertzler, LPN
- Linda A. Kerns, Esquire, Public Member - Absent
- David Scher, MPH, MSN, RN, CEN - Absent
- Tina D. Siegel, LPN - Absent

COMMONWEALTH ATTORNEYS:

- Carolyn DeLaurentis, Executive Deputy Chief Counsel, Department of State
- Jason C. Giurintano, Deputy Chief Counsel, Counsel Division, Department of State
- Judith Pachter Schulder, Esquire, Board Counsel
- Megan E. Castor, Esquire, Board Counsel
- Ashley Keefer, Esquire, Board Counsel
- Carlton Smith, Deputy Chief Counsel, Office of Prosecution
- Codi M. Tucker, Esquire, Senior Board Prosecutor and Prosecution Co-Liaison
- T'rese Evancho, Esquire, Board Prosecutor and Prosecution Co-Liaison
- Trista M. Boyd, Esquire, Board Prosecutor
- David J. Schertz, Esquire, Board Prosecutor
- Matthew T. Sniscak, Esquire, Board Prosecutor
- Adrienne E. Doll, Esquire, Board Prosecutor
- Matthew Fogal, Esquire, Board Prosecutor
- Garrett A. Rine, Esquire, Board Prosecutor
- Alexis Capitello, Legal Analyst, Office of Prosecution
- Debra Sue Rand, Esquire, Chief Hearing Examiner

DEPARTMENT OF STATE AND BOARD STAFF:

- Wendy J. Miller, MSN, RN, Executive Secretary
- Cynthia K. Miller, Board Administrator

1 State Board of Nursing  
2 September 10, 2024  
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5 DEPARTMENT OF STATE AND BOARD STAFF: (Cont.)  
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7 Leslie House, MSN, RN, Nursing Practice Advisor  
8 Susan Bolig, MSN, RN, Nursing Practice Advisor  
9 Kelly Hoffman, MSN, RN, Nursing Education Advisor  
10 Sue Petula, PhD, MSN, RN, NEA-BC, FRE, Nursing  
11 Education Advisor  
12 Linda L. Kmetz, PhD, RN, Nursing Education Advisor  
13 Tracy Scheirer, PhD, MSN, RN, CMSRN, CNE, Nursing  
14 Education Advisor  
15 Dulcey Frantz, DNP, RN, RAC-C, Nursing Practice  
16 Advisor  
17 Peggy Witmer, MSN, RN-BC, MPA, Nursing Practice  
18 Advisor  
19 Koren Lynn, Nurse Board Staff  
20 Justin Noel, Nurse Board Staff  
21 Piri Pantoja, Jr., Deputy Director of Legislative  
22 Affairs, Department of State  
23 Andrew LaFratte, Deputy Director of Policy,  
24 Department of State  
25

26  
27 ALSO PRESENT:  
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29 Mary O'Connor, PhD, MSN, RN, DNAP, Pennsylvania  
30 Organization of Nurse Leaders Legislative Committee  
31 Kelly Ramey, DNP, MSA, RN, Dean of Nursing, Jersey  
32 College  
33 Colette Gargiulo, MSN Ed, RN, Provost, Jersey  
34 College  
35 Cheryl Osnayo, MSN, RN, Nurse Administrator, Jersey  
36 College  
37 Steven B. Litvack, Esquire, President, Jersey College  
38 Park Smith III, Director of Institutional  
39 Effectiveness, Jersey College  
40 Wayne E. Reich, Jr., MSN, MBA, RN, Chief Executive  
41 Officer, Pennsylvania State Nurses Association  
42 Aaron Shenck, Executive Director, Mid-Atlantic  
43 Association of Career Schools  
44 Anita Litz, MSN, RN-BC, PCCN, Practical Nursing  
45 Program Director, Orleans Technical College  
46 Beth Ann Puckett, MSN, RN, GERO-BC, Chester County  
47 Intermediate Unit Practical Nursing Program  
48 Tiffany Booher, MA, LPC, CAADC, CIP, CCSM, Director,  
49 Peer Assistance Monitoring Programs, Foundation of  
50 the Pennsylvania Medical Society

State Board of Nursing  
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ALSO PRESENT: (Cont.)

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7 Heather Wilson, MSW, CFRE, Executive Director,  
8 Foundation of the Pennsylvania Medical Society  
9 P. Daniel Altland, Esquire, Pennsylvania Association  
10 of Nurse Anesthetists  
11 Marcia Landman, MSN-FNP, BSN, RN, Practical Nursing  
12 Assistant Director, United Career Institute  
13 Mary Kay Jurovcik, Western Governors University  
14 Mary Marshall, Director, Workforce & Professional  
15 Development, The Hospital and Healthsystem  
16 Association of Pennsylvania  
17 Misha Patel, Esquire, Pennsylvania Medical Society  
18 Jenny Piper, Board Administrator, Board of Private  
19 Licensed Schools, Pennsylvania Department of  
20 Education  
21 Lisa Storck, DNP, RN, Program Director, St. Luke's  
22 School of Nursing  
23 Wendy Ruderman, Staff Writer, Philadelphia Inquirer  
24 Tonya D. Wert, RN, Clinical Educator, Wellspan  
25 Chambersburg Hospital  
26 Wesley J. Rish, Esquire, Rish Law Office, LLC  
27 Tyler Burke, Milliron & Goodman, LLC  
28 George Mikluscak, EdD, United Career Institute  
29 Patricia A. Hubbs, RN, Childrens Hospital of  
30 Pennsylvania  
31 Jaime Sinutko, PhD, Assistant Professor, University  
32 of Detroit Michigan  
33 Janet Yontas, MSN, RN, Practical Nursing Program  
34 Director, Career Technology Center of Lackawanna  
35 County  
36 Alissa Smethers, PhD, RD, LDN, Consumer Protection  
37 Coordinator, Pennsylvania Academy of Nutrition and  
38 Dietetics  
39 Louise S. Frantz, RN, BSN, MHA, Ed, Coordinator,  
40 Practical Nursing Program, Penn State Berks Campus  
41 Laurie Badzek, LLM, JD, MS, RN, Dean and Professor,  
42 Ross and Carol Nese College of Nursing,  
43 Pennsylvania State University  
44 Kathleen Rundquist, MSN, RN, CNE, Nurse Administrator  
45 and Financial Aid Administrator, Franklin County  
46 Practical Nursing Program  
47 Corey Dennis, MSNc, BA, BSN, RN, CNE, Director of  
48 Practical Nursing, Pennsylvania Institute of  
49 Technology  
50 Susan Dumas, LPN

1 Judith A. Neubauer, DNP, Associate Dean & Program  
2 Director Graduate Nursing, Neumann University  
3 Sandra Cohen, Associate Dean of Academic Affairs, St.  
4 Luke's University  
5 412-596-1081  
6 801-210-6617  
7 Rachel Wilbur-Adams, Sargent's Court Reporting  
8 Service, Inc.  
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2 State Board of Nursing

3 September 10, 2024

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5 The regularly scheduled meeting of the State  
6 Board of Nursing was held on Tuesday, September 10,  
7 2024. Colby P. Hunsberger, DNP, RN, CNEcl, Chair,  
8 called the meeting to order at 9:01 a.m.

9 \*\*\*

10 Introduction of Board Members

11 [Colby P. Hunsberger, DNP, RN, CNEcl, Chair,  
12 requested an introduction of Board members. A quorum  
13 was noted to be present.]

14 \*\*\*

15 Introduction of Board Staff

16 [Wendy Miller, MSN, RN, Executive Secretary, provided  
17 an introduction of Board staff.]

18 \*\*\*

19 Introduction of Board Counsel

20 [Colby P. Hunsberger, DNP, RN, CNEcl, Chair,  
21 requested an introduction of Board Counsel.

22 Jason C. Giurintano, Deputy Chief Counsel,  
23 Counsel Division, Department of State, introduced  
24 himself and provided a brief summary of his  
25 professional background.]

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2 Introduction of Board Prosecution

3 [Colby P. Hunsberger, DNP, RN, CNEcl, Chair,  
4 requested an introduction of Board Prosecutors.]

5 \*\*\*

6 Introduction of In-Person Attendees

7 [Colby P. Hunsberger, DNP, RN, CNEcl, requested an  
8 introduction of those attending in person.]

9 \*\*\*

10 Introduction of Virtual Attendees

11 [Cynthia K. Miller, Board Administrator, provided an  
12 introduction of virtual attendees.]

13 \*\*\*

14 Adoption of the Agenda

15 CHAIR HUNSBERGER:

16 The agenda is before you. Any  
17 additions or corrections?

18 MS. PACHTER SCHULDER:

19 We do have a quorum for voting on  
20 matters except for the matters that  
21 involve any of the recusals; therefore,  
22 the Board will be tabling items 10, 37,  
23 39, 42, 47, 53, 54 and 55.

24 CHAIR HUNSBERGER:

25 Do we have a motion to approve the

1 agenda with the corrections?

2 MS. HERTZLER:

3 So moved.

4 DR. HELLIER:

5 Second.

6 CHAIR HUNSBERGER:

7 All those in favor? Opposed?

8 Abstentions?

9 [The motion carried. Member Capiotis abstained from  
10 voting on the motion.]

11 \*\*\*

12 Adoption of the Minutes

13 CHAIR HUNSBERGER:

14 Do we have a motion to approve the May  
15 minutes?

16 DR. BUCHER:

17 So moved.

18 MS. HERTZLER:

19 Second.

20 CHAIR HUNSBERGER:

21 All those in favor? Opposed?

22 Abstentions?

23 [The motion carried. Members Hellier and Capiotis  
24 abstained from voting on the motion.]

25 \*\*\*



1 Adoption of the Minutes

2 CHAIR HUNSBERGER:

3 Do we have a motion to approve the July  
4 minutes?

5 MS. HERTZLER:

6 So moved.

7 DR. HELLIER:

8 Second.

9 CHAIR HUNSBERGER:

10 All those in favor? Opposed?

11 Abstentions?

12 [The motion carried. Member Capiotis abstained from  
13 voting on the motion.]

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16 [Judith Pachter Schulder, Esquire, Board Counsel,  
17 reminded the attendees that the meeting was being  
18 recorded and that remaining in the meeting evidences  
19 consent.]

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21 Report of Prosecutorial Division

22 [Chair Hunsberger noted VRP Consent Agreement items 2  
23 through 9.]

24 \*\*\*

25 [Ms. Doll's item 10 on the agenda has been tabled.]

1 \*\*\*

2 [Chair Hunsberger noted Mr. Fogal's items 11 through  
3 15.]

4 \*\*\*

5 [Chair Hunsberger noted Mr. Sniscak's items 16 and  
6 68.]

7 \*\*\*

8 [Chair Hunsberger noted Ms. Tucker's item 17.]

9 \*\*\*

10 [Chair Hunsberger noted Ms. Boyd's item 67, which was  
11 withdrawn until the next meeting.]

12 \*\*\*

13 Appointment - Jersey College's Proposal for  
14 Establishment of a Prelicensure Practical Nursing  
15 Program in Jenkintown, PA

16 [Colette Gargiulo, MSN Ed, RN, Provost; Kelly Ramey,  
17 DNP, MSA, RN, Dean of Nursing; Cheryl Osnayo, MSN,  
18 RN, Nurse Administrator; Park Smith III, Director of  
19 Institutional Effectiveness; and Steven Litvack,  
20 Esquire, President, presented Jersey College's  
21 proposal for establishment of a Prelicensure  
22 Practical Nursing Program in Jenkintown.]

23 Ms. Gargiulo and Ms. Ramey stated Jersey College  
24 looked forward to offering a full-time practical  
25 nursing (PN) program for 12 months during the day or

1 16 months in the evening with a 30-student cohort.

2 Ms. Gargiulo explained that the four terms start  
3 with their Foundations and Anatomy and then go on to  
4 Medical-Surgical and Pharmacology, Obstetrics (OB),  
5 Pediatrics, and Mental Health, and finish with  
6 Advanced Medical-Surgical and then bringing the  
7 program together and preparing the students for the  
8 National Council Licensure Examination (NCLEX®).

9 Dr. Ramey stated students will be starting out  
10 with clinicals in a nursing home setting. She noted  
11 Jersey College is working with long-term acute care  
12 (LTAC) facilities and acute care facilities that are  
13 using licensed practical nurses (LPNs) in their acute  
14 care settings to add to that part of their clinical  
15 experience.

16 Dr. Ramey explained that they would be looking at  
17 LTACs as the students move into Medical-Surgical,  
18 daycare centers and school systems for Pediatrics,  
19 and are in negotiations with acute care centers for  
20 OB. She reported having a robust skills center to  
21 handle any sort of OB simulations in addition to  
22 clinical sites. She also reported on utilizing  
23 memory care units and dementia care units at nursing  
24 homes and acute care mental health facilities within  
25 the area that they have contracts with for

1 Psychiatric and Mental Health.

2       Chair Hunsberger commented that there is  
3 currently no OB clinical, and Jersey College has only  
4 facilities that are licensed as long-term care  
5 facilities.

6       Dr. Ramey noted having OB clinicals for their  
7 registered nurse (RN) program and negotiating with  
8 current sites for bringing in LPNs. She explained  
9 that several of the sites do not use LPNs in  
10 labor and delivery (L&D) but use them in postpartum.

11       Chair Hunsberger referred to the increase in  
12 retirement of RNs and increase of LPNs in the  
13 hospital and asked where students in the current  
14 program will have any operating room, emergency room,  
15 or true acute care experiences.

16       Ms. Gargiulo mentioned that Jersey College  
17 started with the basics but is always looking for  
18 acute care settings, noting they do not necessarily  
19 have acute care built into their curriculum, and it  
20 is really recognizing patients that were in acute  
21 care and what happens afterwards—whether the patient  
22 or client goes to a rehab, long-term, or subacute  
23 care.

24       Ms. Gargiulo noted they educate their students  
25 about acute care, but the practice right now for

1 their students is within long-term, subacute, and  
2 some LTAC. She noted they are in negotiations to  
3 identify an OB site for students. She mentioned  
4 having some potential for postpartum and having some  
5 simulation.

6 Chair Hunsberger asked whether they would have an  
7 OB nurse trained and certified in simulation  
8 performing those simulation applications.

9 Ms. Gargiulo explained that they have a manager  
10 of simulation who would work with the OB nurse to be  
11 able to facilitate and work with the simulators,  
12 noting the nurses for the program will be well versed  
13 in OB, Pediatrics, and Mental Health.

14 Chair Hunsberger asked about the testing policy  
15 and the ability for students to miss one examination  
16 per course. Specifically, he asked whether students  
17 are allowed to miss an exam and the next exam grade  
18 counts as the previous exam and the current exam. He  
19 also asked why these students are not made to take  
20 the exam the next day that they are present.

21 Ms. Gargiulo explained that a student is given  
22 amnesty for the exam if they are unable to be present  
23 for an exam, so they have the opportunity, based upon  
24 what they received on that following exam, to replace  
25 it. She noted the student would otherwise receive a

1 zero and then be automatically withdrawn because a  
2 zero on one of the exams could turn them into an  
3 unsuccessful student. Ms. Gargiulo explained that  
4 they have institutional exams for security reasons  
5 and would not give the same exam later because  
6 students share the information.

7 Chair Hunsberger suggested changing the  
8 questions, noting it is a good way to catch people  
9 who are cheating because they thought they knew the  
10 correct answers. He expressed concern with not  
11 really testing to see if that student is competent in  
12 that content area. Dr. Ramey explained that students  
13 cannot escape the content because the midterm exam  
14 also covers content from exam one if they miss that  
15 exam.

16 Ms. Osnayo explained that Jersey College has four  
17 exams, a final, and clinical judgment. Ms. Gargiulo  
18 addressed assessments before the exams to determine  
19 where the students are in their knowledge base and  
20 where assistance is needed before their exam. Ms.  
21 Osnayo explained that students can only miss one  
22 exam, and the penalty of 10% off the exam grade would  
23 be waived if they meet the parameters. She further  
24 explained that anyone who misses more than one exam  
25 is a course drop and have to repeat it next term.

1 She noted the midterm and final are included in the  
2 missed exam policy. She stated anyone who missed the  
3 final would have a makeup exam.

4 Chair Hunsberger expressed concern with someone  
5 being able to miss the midterm and final and  
6 suggested it be written in there that those two exams  
7 are not to be missed. He also expressed astonishment  
8 with how a college of their size does not have a  
9 question bank and that they cannot create a second  
10 exam.

11 Dr. Ramey explained that the final would replace  
12 the midterm grade if someone misses the midterm and  
13 could have that 10% deduction or it could just be a  
14 grade-for-grade replacement if they missed the final.  
15 She referred to a student who missed the final but  
16 came in during break week for a makeup final  
17 separately built for them.

18 Ms. Pachter Schulder requested clarification that  
19 Jersey College is not waiving a final, where the  
20 student would still take the final but just not that  
21 day. Dr. Ramey noted Ms. Pachter Schulder to be  
22 correct. She explained that someone could skip out  
23 on the midterm but would have to meet certain  
24 circumstances where the final would replace the  
25 midterm grade or final minus 10% of the midterm

1 grade. She addressed exigent circumstances.

2 Mr. Smith explained that the policy went into  
3 effect during the COVID and was designed as an  
4 accommodation for students who had to quarantine to  
5 make sure they continued their progression. He  
6 mentioned that it ended up really succeeding in the  
7 curriculum and being a great model that was rolled  
8 out across the board. He stated there is a big  
9 distinction between the unavoidable conditions or  
10 just somebody missing the exam.

11 Dr. Ramey addressed Jersey College's admission  
12 and the number of cohorts, noting they would start  
13 slow and let it play out through the four terms  
14 before considering bringing in another shift until  
15 they have a full cohort running through the program.  
16 She noted having a PN program since 2004 and wants to  
17 make sure they are following Pennsylvania's  
18 regulations. She noted there would eventually be the  
19 opportunity to move back and forth from day to  
20 evening classes for students in a fully rolled out  
21 program but not initially.

22 Ms. Pachter Schulder requested to see the  
23 specific agreements with the daycares and schools  
24 allowing students from their PN program clinical  
25 experience in those facilities for Pediatrics. She



1 mentioned that if the Board approved their  
2 application, that it would be pending documentation  
3 of that kind of clinical experience. She also  
4 questioned where there is acute care experience,  
5 including in mental health. Dr. Ramey addressed  
6 medical-surgical experience obtained in long-term  
7 care settings, including a myriad of learning  
8 opportunities and experiences.

9       Chair Hunsberger commented that acute care  
10 nursing was not described. Ms. Gargiulo stated  
11 Jersey College is looking at the patient holistically  
12 in long-term care or subacute care facilities and not  
13 just looking at the lack of mobility or inability to  
14 maintain their own activities of daily living (ADLs)  
15 to get a full picture of a medical client that is not  
16 in the acute phase at the current time.

17       Ms. Gargiulo explained that their PN program was  
18 not meant to be acute and meant to understand the  
19 full person, including what happens when they are in  
20 acute phase and then caring for them afterwards. She  
21 mentioned they will look for opportunities for acute  
22 care for students, especially as they get into the  
23 last term, which is more of comprehensive med-surg.

24       Ms. Pachter Schulder requested information  
25 regarding how RN supervision will work at LTAC

1 facilities and whether they have obtained faculty  
2 since the proposal was provided. Ms. Gargiulo  
3 explained that faculty members provide full oversight  
4 of around six to eight students. Dr. Ramey reported  
5 hiring an additional 12 faculty members for their RN  
6 program and hired RN faculty for the evening generic  
7 program who have LPN experience teaching LPN  
8 programs. She stated she has not hired specifically  
9 for the PN program but has a faculty member who would  
10 be a fabulous PN chair and several faculty members  
11 with the clinical experience and the curriculum  
12 experience for PN programs.

13 Ms. Pachter Schulder informed Jersey College that  
14 the Board will review their proposal in Executive  
15 Session. She reiterated that if the Board were to  
16 approve their program, that it could be subject to  
17 copies of agreements with the clinical agencies  
18 mentioned during today that are currently not part of  
19 the proposal. She also explained that if the Board  
20 were to approve the proposal, that it also needs to  
21 approve the faculty, which was not included for  
22 consideration with this proposal.]

23 \*\*\*

24 Pennsylvania Legislative Update - Legislation  
25 Affecting Nurses/Nursing

1 [Judith Pachter Schulder, Esquire, Board Counsel,  
2 noted Senate Bill 1208, regarding individual  
3 medication plans in school, and Senate Bill 913,  
4 requiring parental consent for school-based web  
5 counseling services.

6 Ms. Pachter Schulder stated House Bill 2246 would  
7 authorize use of the advanced practice registered  
8 nurse (APRN) designation. She explained that it does  
9 not change scope of practice but authorizes certified  
10 registered nurse practitioners (CRNPs), clinical  
11 nurse specialists (CNSs), and certified registered  
12 nurse anesthetists (CRNAs) to use an APRN  
13 designation.

14 Ms. Pachter Schulder noted House Bill 1084 about  
15 asthma medications in schools, and House Bill 2382  
16 that would make nursing graduates eligible for a  
17 Rural Healthcare Grant.

18 Ms. Pachter Schulder mentioned that Dr. Bucher  
19 requested Senate Bill 668 be placed back on the  
20 agenda concerning nurse medication aides. She  
21 reminded the Board that it does not take a position  
22 on legislation; however, it advises the legislative  
23 liaison what the Board believes about particular  
24 bills because the director of legislation in the  
25 department speaks on behalf of the boards through the

1 administration.

2 Ms. Pachter Schulder noted that Pennsylvania  
3 currently has 300,000 certified nurse aides working  
4 in the acute care setting registered with the  
5 Department of Health. She explained that the bill  
6 would allow nurse medication aides to administer  
7 medication at nursing homes so long as the  
8 individuals take 80 hours of education and a clinical  
9 examination.

10 Ms. Pachter Schulder stated the education is  
11 provided by the individual nursing homes using  
12 curriculum that is designed by the Department of  
13 Health, along with hours of education required every  
14 year in order to be a nurse medication aide.

15 Dr. Bucher expressed concern with patient safety,  
16 noting the acuity is higher in nursing homes and  
17 skilled facilities. He believed it to be a scope of  
18 practice issue for the medication aide to allow them  
19 to evaluate a patient for not only scheduled  
20 medications but as-needed medications.

21 Dr. Bucher also expressed a concern with allowing  
22 the medication aide to do an assessment, which is at  
23 the core of nursing, and how this would increase  
24 liability for the nurse who is ultimately responsible  
25 for the patient's safety and care at a skilled

1 facility.

2 Dr. Bucher questioned whether the medication aide  
3 would be able to recognize an adverse reaction and  
4 understand the onset and action of the medication and  
5 whether the nurse would be responsible.

6 Dr. Bucher commented that it would decrease the  
7 nurse-patient relationship by removing the nurse from  
8 that aspect of care. He mentioned that it may lead  
9 to fragmented care for the patient in the facility.  
10 He expressed concern with different levels of nursing  
11 aides being able to give medication if the bill  
12 allows for each nursing home to give a concocted  
13 exam. He believed legislators missed the mark trying  
14 to alleviate some of the stress of nurses.

15 Ms. Hertzler asked how facilities are getting  
16 around nurse aides giving medication when they call  
17 them a different name. Ms. Pachter Schulder noted  
18 someone could file a complaint with the Department of  
19 Health about the facility and a complaint with the  
20 Board for unlicensed practice. She stated the Board  
21 could charge a civil penalty and a cease and desist  
22 if the charges were proven unless this Bill would be  
23 enacted.

24 Dr. Bucher commented that it would be interesting  
25 to note that the National Council of State Boards of

1 Nursing (NCSTN) actually owns two exams that North  
2 Carolina administers for medication aides, so why is  
3 this bill choosing to let the nursing homes write an  
4 exam versus using a national standardized exam.

5 Ms. Hertzler mentioned that emergency medical  
6 technicians in Pennsylvania are now allowed to become  
7 advanced EMTs after taking a course somewhere between  
8 6 and 13 weeks. She explained that they can start  
9 IVs and administer some IV push medications that she  
10 cannot even give as an LPN.

11 Dr. Bucher noted having major concerns with  
12 oversight and asked whether limits would be set as to  
13 how often a medication aide can give an assigned  
14 medication, where maybe a medication aide can give  
15 the medication one shift and then a licensed nurse be  
16 present the next shift.

17 Ms. Hertzler referred to insulin, noting it is a  
18 cosign medication a lot of times in a hospital  
19 setting.

20 Dr. Bucher pointed out that there should be some  
21 pathway for the Nurse Board to make sure their  
22 patients are protected and nurses are protected if  
23 the responsibility would be on the nurse and the bill  
24 does move forward.

25 Ms. Pachter Schulder informed Board members that

1 she would bring all their comments to the Legislative  
2 Office's attention.

3 Ms. Pachter Schulder reminded everyone that this  
4 is a *sine die* year and explained that any bill that  
5 has not been passed by the Legislature at the end of  
6 the legislative session has to start all over again.  
7 She mentioned there are numerous bills every session,  
8 and many come to conclusion right at the end of that  
9 legislative session but will have to wait to on this  
10 until next month.

11 Ms. Pachter Schulder questioned whether the Board  
12 wanted to set time aside for stakeholders to discuss  
13 the stakeholders' legislative agendas or any other  
14 agenda as it has during prior October meetings. The  
15 Board agreed to scheduled that for the October  
16 meeting. She further explained that an invitation to  
17 the various associations will be sent to see if the  
18 organization would like to make a presentation to the  
19 Board.]

20 \*\*\*

21 Regulation Update - Regulations Status Summary  
22 [Judith Pachter Schulder, Esquire, Board Counsel,  
23 addressed 16A-5139 regarding the Volunteer License  
24 regulation. She again noted the Volunteer License  
25 regulation is being worked on by Regulatory Counsel

1 for all of the licensing Boards. She mentioned that  
2 the boards do issue volunteer licenses and that the  
3 regulations are old and need to be updated to conform  
4 with recent amendments to the Volunteer Health  
5 Services Act.

6       Regarding 16A-5141, the Nursing Education  
7 Programs regulation, she reported it is still  
8 awaiting approval or comments from the Office of  
9 Policy and noted no movement on that regulation since  
10 the last meeting.

11       16A-5143 concerning the final form Licensure by  
12 Endorsement and Reactivation regulation, she stated  
13 the Office of Policy approved that regulation on  
14 August 16, and it has been delivered to the  
15 legislative committees for their final review and  
16 approval.

17       Ms. Pachter Schulder explained that it sets the  
18 continued competency practice hours amount where  
19 somebody whose license has been inactive for five or  
20 more years or whose license has been revoked must  
21 complete the continued competence. She noted the  
22 continued competency could be completed by taking the  
23 NCLEX® again, taking a reactivation course that has an  
24 exam, or could have practiced in another state for  
25 two of the last five years.



1 Ms. Pachter Schulder stated the regulation for  
2 Act 41 also requires a demonstration of competency  
3 for two of the last five years. She stated the  
4 language in the continued competency section defining  
5 two of the last five years as 3600 hours within five  
6 years making the two provisions consistent. She  
7 informed Board members that it is anticipated that  
8 the regulation will be approved by the next meeting.

9 For 16A-5145, the CRNA Licensure regulation, Ms.  
10 Pachter Schulder explained that she is working on  
11 revisions and will be resubmitting that back to  
12 Regulatory Counsel in the hopes of it moving through  
13 the process. She reported that the Board will be  
14 able to issue licenses once those regulations are  
15 final.

16 Regarding 16A-5146, the Opioid Prescription and  
17 Education and Organ Donation Education regulation,  
18 she reminded everyone that the regulation has been  
19 approved by the Governor's Policy Office, Budget  
20 Office, and Office of General Counsel. She mentioned  
21 that the regulation is very similar to the  
22 regulations of the Board of Medicine and Board of  
23 Osteopathic Medicine, and Acting Commissioner  
24 Claggett wanted the timing of three regulations to  
25 occur at the same time.

1 Ms. Pachter Schulder stated the Board of  
2 Nursing's regulation has not yet been published in  
3 the *Pennsylvania Bulletin*, and the Board of Medicine  
4 and Board of Osteopathic Medicine are going to be  
5 taking up their regulations at their next meetings,  
6 so it can move through the process.

7 16A-5148, the Nurse Licensure Compact (NLC)  
8 regulation, Ms. Pachter Schulder noted prior Board  
9 discussion when the legislation first came out about  
10 the NLC having its own regulations and procedures,  
11 but those regulations and policies are not mentioned  
12 in the Compact statute adopted in Act 68 of 2021.

13 Ms. Pachter Schulder noted that it is necessary  
14 to adopt some regulations in order to be able to  
15 implement the Compact. She reported that the NLC  
16 does not want boards to adopt regulations for matters  
17 covered under the NLC's regulation.

18 Ms. Pachter Schulder commented that at this time,  
19 she is unsure whether the Annex would be for  
20 temporary regulations or regular regulations. She  
21 noted a temporary regulation goes through half the  
22 process because it only exists for a short amount of  
23 time, and she provided a summary of the regulatory  
24 process. The Legislature is contemplating providing  
25 temporary regulatory authority for the Compacts

1 generally.

2 Ms. Pachter Schulder referred to new § 21.1101 in  
3 the Annex where all of the rules that are part of the  
4 Compact would have the force and effect as if they  
5 are a regulation in Pennsylvania. She mentioned that  
6 this provision is necessary to inform multistate  
7 licensees that they have to follow those rules as  
8 well.

9 Ms. Pachter Schulder noted § 21.1102, containing  
10 definitions. She mentioned that the Board is  
11 adopting all of the definitions in the NLC but needs  
12 a definition for an existing Pennsylvania license.  
13 She noted the reason that the temporary regulations  
14 or even regulations would be needed is because it  
15 advises licensees how a current Pennsylvania license  
16 receives a multistate license.

17 Ms. Pachter Schulder stated the renewal fees for  
18 multistate licenses are projected and provided fee  
19 report forms. She explained that renewals will be  
20 the same for multistate and single state licenses at  
21 \$76 for an LPN and \$122 for an RN because staff is  
22 doing the same functions whether the licensee has a  
23 multistate or a single state license.

24 Ms. Pachter Schulder explained that the fee for  
25 someone who wants to convert from their existing

1 Pennsylvania license to a multistate license is \$105,  
2 but someone without an existing license would have to  
3 apply either for a license by endorsement, license by  
4 endorsement with exam, or a license by examination.  
5 She mentioned that prices depend on whether the  
6 program is a PA-approved program, out-of-state  
7 program, or foreign program because there is  
8 additional work needed to be completed.

9 Ms. Pachter Schulder stated Pennsylvania programs  
10 do not send the Board transcripts because the Board  
11 approved those programs, so it only receives nursing  
12 education verifications and does not have to recheck  
13 all the education.

14 Ms. Pachter Schulder noted the Board has to make  
15 sure that the education provided was the same with  
16 out-of-state programs, and foreign nursing education  
17 programs must include a foreign credentials  
18 evaluation and maybe even English language  
19 proficiency, which is why there are different costs.  
20 She also mentioned there is no fee to convert a  
21 multistate to a single license.

22 Ms. Pachter Schulder addressed the 10 Compact  
23 requirements, including meeting Pennsylvania  
24 requirements, whether it is an RN license or PN  
25 license. She reminded everyone that Pennsylvania is

1 not part of a Compact for advanced practice, and it  
2 has not gone into effect yet anyway because not  
3 enough states are participating.

4 Ms. Pachter Schulder noted that to issue a  
5 multistate license, the nurse's primary state of  
6 residence must be in Pennsylvania, along with  
7 providing documentation. She explained that even now  
8 under the NLC, anyone who has a multistate license in  
9 one state now and moves to Pennsylvania must convert  
10 that license from a multistate license to a  
11 Pennsylvania license.

12 Ms. Pachter Schulder stated a Federal Bureau of  
13 Investigation (FBI)-based criminal background check  
14 is required. She reported not having approval from  
15 the FBI for the criminal-based background checks and  
16 is one of the reasons the NLC has not been fully  
17 implemented. She noted the Legislature approved the  
18 language to allow Pennsylvania to accept the FBI  
19 criminal background checks. She mentioned that the  
20 original language was not sufficient for the FBI, but  
21 the Department of State is hoping the new language  
22 would be acceptable.

23 Ms. Pachter Schulder stated everybody who applies  
24 for a multistate license, whether they are converting  
25 their Pennsylvania license or coming from another

1 state, will have to get an FBI criminal background  
2 check. She noted Pennsylvania started to require  
3 state background checks shortly before COVID-19.

4 Ms. Pachter Schulder explained that the Board  
5 provided an option where someone could provide a  
6 federal background check if they had a license in  
7 multiple states so they did not have to provide one  
8 from multiple states. She reported that the FBI was  
9 not happy and noted Pennsylvania is not going to  
10 provide that option anymore.

11 Ms. Pachter Schulder stated every applicant must  
12 complete the Child Abuse Continuing Education and  
13 have a United States Social Security Number in order  
14 to get a Pennsylvania multistate license. She  
15 explained that a Social Security Number is not  
16 required to get a single state license, but it is  
17 required to renew the single state license. The rule  
18 is different under the NLC.

19 Ms. Pachter Schulder explained that a Board-  
20 approved English language proficiency exam is  
21 required if a program was not taught in English or if  
22 English is not the individual's native language. She  
23 noted the Board will be discussing making changes to  
24 the Board's approved list at a future meeting.

25 Ms. Pachter Schulder stated individuals

1 convicted of a felony or misdemeanor related to the  
2 profession cannot get a multistate license under the  
3 NLC but can get a single state license. She noted  
4 they must have a current license in another state and  
5 pay the application fee. She mentioned that  
6 applicants cannot have a license on probation in  
7 another state or be in an alternative discipline  
8 program like the Voluntary Recovery Program, the  
9 Disciplinary Monitoring Unit, or Practice, Education,  
10 Remediation, and Collaboration (PERC).

11 Ms. Pachter Schulder stated the Board will look  
12 at applicants as if they are applying for a single  
13 state if they do not meet the requirements of a  
14 multistate and will process the application if  
15 someone meets the requirements.

16 Ms. Pachter Schulder referred to § 21.1105  
17 concerning requirements for anyone who currently has  
18 an existing Pennsylvania license on the day the NLC  
19 is fully implemented. She explained that everybody's  
20 licenses will be marked single state and then  
21 everybody who wants a multistate license will have to  
22 apply. She further explained that anyone with an  
23 existing Pennsylvania license who wants to convert  
24 their license has to meet requirements of a  
25 multistate license.

1 Ms. Pachter Schulder mentioned that except for  
2 existing licensees who graduated from foreign nursing  
3 education programs or got licensed under Act 41,  
4 existing licensees will not have to submit their  
5 education again. She noted the Board will pull over  
6 their education compliance information that they  
7 showed to get their licenses.

8 Ms. Pachter stated that for existing licensees  
9 who have already taken and passed an English Language  
10 Proficiency Exam where English is not their native  
11 language or their education was not in English, they  
12 will not be required to take the English Language  
13 Proficiency Exam again because it will get pulled  
14 over. She also stated anyone participating in an  
15 alternative program or subject to discipline will be  
16 able to apply for a multistate license once they are  
17 no longer in the alternative program.

18 Ms. Pachter Schulder noted § 21.1106 is a  
19 provision regarding changing a primary state of  
20 residence (PSOR) and includes applying in  
21 Pennsylvania for a multistate license and informing  
22 the other board that they are no longer in that  
23 state. She also noted that licensees who change  
24 their PSOR to Pennsylvania will have to notify the  
25 state they are moving from and also file an



1 application in Pennsylvania.

2 Ms. Pachter Schulder explained that a  
3 Pennsylvania license will become a single state  
4 license if the licensee moves to a nonparty state  
5 because they would not be living in a place with a  
6 multistate license.

7 Ms. Pachter Schulder addressed what happens if  
8 someone gets discipline on their license when they  
9 have a multistate and referred to § 21.1107, noting a  
10 multistate automatically gets converted to a single  
11 state but can be converted back to a multistate when  
12 their alternative discipline is over.

13 Ms. Pachter Schulder asked whether the Board  
14 desired to send the regulation out to stakeholders  
15 for pre-draft input. She mentioned not being certain  
16 whether it would be a regular regulation or temporary  
17 regulation, noting it will have a different heading,  
18 but the Annex would be the same. She addressed the  
19 benefit of sending it out for pre-draft input now,  
20 including getting the process started.

21 Ms. Pachter Schulder also addressed the  
22 disadvantages of sending the Annex to stakeholders at  
23 this stage, including the NLC not yet being in place  
24 and cannot currently be fully implemented. She  
25 informed Board members that the pre-draft would state

1 at the top and bottom in bold letters that the NLC is  
2 not ready to be implemented, along with posting it on  
3 their website and asking associations to post it,  
4 explaining that this is just a stakeholder's exposure  
5 draft.

6 Ms. Pachter reiterated that a multistate  
7 applicant has to have an FBI background check in  
8 order to obtain a PA multistate license and that the  
9 Board cannot fully implement the NLC and is awaiting  
10 the FBI's approval of criminal background check  
11 language.

12 Ms. Pachter Schulder again mentioned that  
13 background checks are not required for renewal and  
14 the Board only started to ask for it on initial  
15 license around 2020. She noted that an employer may  
16 require a background check but is separate from the  
17 Board. She explained that the Board asks for the  
18 background check now because of Act 53, which is the  
19 act concerning crimes related to the profession,  
20 which requires the Board to look at criminal  
21 offenses.

22 Ms. Pachter Schulder further explained that  
23 transcripts provide evidence of education and  
24 background checks provide evidence that someone has  
25 not committed a crime that would prevent them from

1 receiving a license.

2 Board members agreed to move the pre-draft  
3 forward for input.]

4 MS. PACHTER SCHULDER:

5 This would require a motion to send  
6 16A-5148 to stakeholders for pre-draft  
7 input with all of the caveats contained  
8 in the letter.

9 DR. BUCHER:

10 So moved.

11 MS. HERTZLER:

12 Second.

13 CHAIR HUNSBERGER:

14 All those in favor? Opposed?

15 Abstentions?

16 [The motion carried unanimously.]

17 \*\*\*

18 Regulation 16A-5150 - CRNP Prescribing and Dispensing  
19 Parameters

20 [Judith Pachter Schulder, Esquire, Board Counsel,  
21 addressed 16A-5150 regarding the opioid treatment  
22 program (OTP) and pain pump regulations. She  
23 mentioned that CRNPs are limited to Schedule II drugs  
24 for a 30-day supply in the regulations. She noted  
25 prior Board discussion about whether there should be

1 a different timeframe for refills for pain pumps  
2 because that is usually a 90-day supply.

3 Ms. Pachter Schulder referred to § 21.284 (d)(1),  
4 where a CRNP may write a prescription for a Schedule  
5 II controlled substance for up to a 30-day supply as  
6 identified in the collaborative agreement. She  
7 stated the Board could consider amending the  
8 regulations to say except for refills for pain pumps,  
9 which may be written for a 90-day supply.

10 Ms. Pachter Schulder noted the federal government  
11 has changed its regulations regarding outpatient  
12 OTPs, where in order to prescribe in outpatient  
13 treatment centers, there has to be an initial  
14 physical exam in person or by telehealth. She  
15 explained that the Board of Medicine and Board of  
16 Osteopathic Medicine did a final proposed omitted  
17 regulation. She explained that the Board can  
18 promulgate a final proposed omitted regulation when  
19 nothing is different than what is in the state or  
20 federal law.

21 She stated there needed to be an initial medical  
22 history taken prior to prescribing the controlled  
23 substance and referred to paragraph (9), which is the  
24 new provision that talks about opioid treatment  
25 programs. The initial physical examination required

1 may be conducted by telehealth or in person but must  
2 be conducted where the person is admitted for the  
3 treatment of opioid use disorders in an OTP with  
4 either buprenorphine or methadone. The provider must  
5 determine that there was an adequate examination of  
6 the patient by telehealth or in person and within 14  
7 days after the admission. A full in-person exam must  
8 be completed.

9 Ms. Pachter Schulder believed there are specific  
10 other requirements for methadone and was not sure  
11 whether they would be putting "or methadone" in the  
12 regulation until she checks the federal regulations  
13 and speak with the Department of Drug and Alcohol  
14 Programs. She explained that they also need to look  
15 at CRNP restrictions for methadone.

16 Dr. Hellier commented that the current  
17 regulations state that a CRNP can do the initial  
18 evaluation, but the methadone prescription has to  
19 come from the physician and is not like that for  
20 buprenorphine.

21 Ms. Pachter Schulder stated CRNPs can do the  
22 evaluation but cannot do the order and needed to  
23 research whether that needed to be separated out when  
24 a person is admitted with either buprenorphine or  
25 methadone. She asked whether Board members

1 wanted to run a regulation like the State Boards of  
2 Medicine and Osteopathic Medicine, where the package  
3 was promulgated as a final form omitted regulation  
4 since it only comported the Board's regulations to  
5 federal law or a proposed regulation containing both  
6 OTPs and pain pumps.

7 Ms. Pachter Schulder mentioned that because the  
8 amendments being discussed both involve CRNPs, it  
9 would make sense to combine the topics into one  
10 regulation; however, if the Board desired to do more  
11 cleanup work to § 21.284, that could cause some delay  
12 while the Board was considering additional revisions  
13 and perhaps the revisions should be split into two  
14 packages.

15 Dr. Bucher commented that the packages could be  
16 combined. He referred to Ms. Pachter Schulder's  
17 question about methadone, noting the revision only  
18 involves providing the initial physical, not writing  
19 for the medication, so he did not think adding "or  
20 methadone" would create much pushback.

21 Dr. Bucher noted they are seeing this a lot with  
22 CRNPs working in chronic pain, where the CRNPs do not  
23 want to write for half a fill for a patient and want  
24 the patient to be able to get the pump filled, which  
25 requires the dosage to go from 30 to 90 days.

1           Dr. Bucher believed they should move forward  
2 because things take a long time when it comes to  
3 regulations. He mentioned that there are a lot of  
4 CRNPs working in opioid treatment programs right now  
5 and want them to be able to do the initial physical  
6 exam.]

7 MS. PACHTER SCHULDER:

8                     Dr. Bucher, would you make a motion to  
9                     send 16A-5150 out for pre-draft input?

10 DR. BUCHER:

11                     Yes.

12 CHAIR HUNSBERGER:

13                     Anyone seconding?

14 MS. HERTZLER:

15                     I'll second.

16 CHAIR HUNSBERGER:

17                     All those in favor? Opposed?

18                     Abstentions?

19 [The motion carried unanimously.]

20                                     \*\*\*

21 [The Board recessed from 10:35 a.m. until 10:44 a.m.]

22                                     \*\*\*

23 Report of Board Chair - No Report

24                                     \*\*\*

25 Report of Acting Commissioner

1 [Arion R. Claggett, Acting Commissioner, Bureau of  
2 Professional and Occupational, informed everyone that  
3 the Board website was recently updated to make it  
4 more user-friendly and encouraged everyone to check  
5 it out.

6 Acting Commissioner Claggett also noted they  
7 recently opened a Pittsburgh Call Center and will  
8 begin receiving calls in about two weeks.]

9

\*\*\*

10 Report of Committees - Probable Cause Screening  
11 Committee

12 [Sue E. Hertzler, LPN, noted the Probable Cause  
13 Screening Committee moved on 11 Petitions for  
14 Appropriate Relief, 32 Petitions for Mental and  
15 Physical Exams, and 2 Immediate Temporary  
16 Suspensions.]

17

\*\*\*

18 Report of Committees - Application Review Committee  
19 [Colby P. Hunsberger, DNP, RN, CNEcl, Chair, noted  
20 the Application Review Committee met a few times  
21 through email and moved those applications forward.]

22

\*\*\*

23 Report of Committees - Advanced Practice (Education,  
24 Regulation, & Application) - No Report

25

\*\*\*



1 Report of Committees - RN/PN Practice, Education, &  
2 Regulation

3 [Colby P. Hunsberger, DNP, RN, CNEcl, Chair, noted  
4 the RN/PN Practice, Education, & Regulation Committee  
5 was already discussed.]

6 \*\*\*

7 Report of Committees - Dietitian-Nutritionist  
8 Committee - No Report

9 \*\*\*

10 IT & Communication Issues Committee

11 [Colby P. Hunsberger, DNP, RN, CNEcl, Chair, had no  
12 information technology (IT) issues to report this  
13 morning.]

14 \*\*\*

15 Report of Board Members Who Attended a Meeting on  
16 Behalf of the Board

17 [Colby P. Hunsberger, DNP, RN, CNEcl, Chair,  
18 addressed his attendance, along with Dr. Bucher,  
19 Wendy Miller, and Dr. Kmetz at the National Council  
20 of State Boards of Nursing Annual Meeting. He  
21 congratulated Dr. Kmetz for being reelected onto  
22 NCSBN's Leadership Succession Committee.

23 Chair Hunsberger reported that NCSBN believes  
24 NCLEX® is statistically where it needs to be and has  
25 no plans in the future to make it harder. He noted a

1 speaker presented alarming statistics, where 12% of  
2 nurses were happy in their work and 87% were feeling  
3 burned out at work.]

4

\*\*\*

5 Report of Executive Secretary

6 [Wendy Miller, MSN, RN, Executive Secretary, reported  
7 that LDN renewal will close on September 30. She  
8 reported 56.37% of eligible LDNs have renewed and  
9 encouraged the remaining LDNs to get their mandatory  
10 Child Abuse CE completed and their renewals  
11 submitted. She also noted the October 31 renewal for  
12 RNs, CRNPs, CNSs, and CRNP Prescriptive Authority is  
13 open. She reported approximately 20% of all  
14 categories have renewed and encouraged those  
15 remaining licenses/certificate holders to also get  
16 their mandatory Child Abuse Continuing Education  
17 completed ahead of submitting their renewal.

18 Ms. Miller recommended anyone who has completed  
19 their mandatory Child Abuse CE but has not seen it  
20 match up on their renewal after 10 days to contact  
21 the provider because some information may not be  
22 matching their license profile.

23 Ms. Miller stated the 2023-2024 NCLEX® year ends  
24 on September 30 and should have a preliminary idea of  
25 the results at the October meeting. She noted the

1 Board will have a full presentation of the results at  
2 the December meeting after programs have an  
3 opportunity to review their results for accuracy and  
4 the Advisors have an opportunity to make any  
5 corrections.

6 Ms. Pachter Schulder and Ms. Miller addressed why  
7 programs review the results, explaining that  
8 sometimes graduates inadvertently select the wrong  
9 program, for example, when there is a merger or a  
10 change of ownership as there was with the  
11 Pennsylvania's State System of Higher Education  
12 (PASSHE) schools, or testers choosing a Bachelor of  
13 Science in Nursing program but are a graduate of an  
14 Associate of Science in Nursing program, or choose  
15 the wrong Pennsylvania school because they click too  
16 soon on the dropdown menu when they are registering  
17 with Pearson VUE and then the exam results get  
18 attributed to the wrong program.

19 Ms. Miller explained that when they receive the  
20 pass rate report, it has a list of people who tested  
21 that the Nursing Education Advisors send out to the  
22 programs to identify if there are any test takers on  
23 the results that do not belong to them or if they  
24 know somebody tested who is not on the results and  
25 will need to contact an Advisor.

1 Ms. Miller further explained programs have a  
2 window of opportunity to notify a Nursing Education  
3 Advisor so that the Advisor can locate what program  
4 the student truly belongs with and have the  
5 correction made by Pearson VUE and then provide the  
6 corrected information to both the program they  
7 appeared on and the program they were missing from so  
8 they can get new reports on their results.

9 Ms. Miller announced that members of the Bureau  
10 of Professional and Occupational Affairs, including  
11 Acting Commissioner Claggett and herself, will be  
12 attending the Council on Licensure, Enforcement and  
13 Regulation 2024 Educational Conference in Baltimore  
14 the week of September 16 and will have a report at an  
15 upcoming meeting.

16 Ms. Miller also mentioned that she would be  
17 attending the 2024 NCSBN Leadership and Public Policy  
18 Conference in October along with Dr. Bucher and  
19 Education Advisors Kelly Hoffman and Dr. Linda  
20 Kmetz.]

21 \*\*\*

22 Public Comment

23 [Wayne Reich Jr., MSN, MBA, RN, Chief Executive  
24 Officer, Pennsylvania State Nurses Association (PSNA),  
25 advised that PSNA received comments concerning the

1 Nurse Licensure Compact and offered assistance on the  
2 distribution of the pre-draft because licensees are  
3 confused even though they are updated every couple of  
4 months that the Board is awaiting a response from the  
5 FBI.

6 Mr. Reich referred to Senate Bill 668, noting  
7 that PSNA is against medication aides. He reported  
8 that it passed the Senate with zero opposition, and  
9 PSNA has been working on safeguarding it and putting  
10 it in the right place. He mentioned that the  
11 Legislature has three nurses who have either signaled  
12 they have voted for it or will vote for it.

13 Mr. Reich commented that there are a class of  
14 aides in the state who can assist people with taking  
15 their medications in certain areas; however, there is  
16 a fine line between assisting and administering.]

17

\*\*\*

18 [Pursuant to Section 708(a)(5) of the Sunshine Act,  
19 at 10:58 a.m., the Board entered into Executive  
20 Session with Judith Pachter Schulder, Esquire, Board  
21 Counsel; Megan E. Castor, Esquire, Board Counsel; and  
22 Ashley Keefer, Esquire, Board Counsel, for the  
23 purpose of conducting quasi-judicial deliberations on  
24 the Report of Prosecutorial Division, Report of Board  
25 Counsel, and Appointments. The Board returned to

1 Open Session at 12:25 p.m.]

2 \*\*\*

3 MOTIONS

4 MS. PACHTER SCHULDER:

5 During Executive Session, the Board  
6 engaged in quasi-judicial deliberations  
7 on the Report of Prosecutorial  
8 Division, Report of Board Counsel, and  
9 the Appointments.

10 There are no Board members who are  
11 recused from any matters as we  
12 addressed that this morning. Any  
13 matter with a recusal and that is 10,  
14 37, 39, 42, 47, 53, 54, and 55 are  
15 being tabled and not being decided upon  
16 today due to lack of a quorum. In  
17 addition, item 45 is on the agenda in  
18 error and will not be addressed as  
19 well.

20 Like with the prior part of this  
21 morning's meeting, this meeting is  
22 being recorded for purposes of  
23 conducting the minutes, and as it  
24 showed on the cover of the agenda that  
25 everybody received, your voluntary

1 participation means you are consenting  
2 to be recorded.

3 Is there a motion to adopt the VRP  
4 Consent Agreement at items 2 through 9  
5 on the agenda?

6 MS. HERTZLER:

7 So moved.

8 DR. HELLIER:

9 Second.

10 CHAIR HUNSBERGER:

11 All those in favor? Opposed?

12 Abstentions?

13 [The motion carried. Member Capiotis abstained from  
14 voting on the motion.]

15 \*\*\*

16 MS. PACHTER SCHULDER:

17 Is there a motion to adopt the  
18 following Consent Agreements: Case No.  
19 21-51-000637, Case No. 23-51-015998,  
20 Case No. 24-51-005619, Case No. 24-51-  
21 010975, Case No. 24-51-009017, and Case  
22 No. 23-51-016180?

23 ACTING COMMISSIONER CLAGGETT:

24 So moved.

25 MS. HERTZLER:





1 MS. HERTZLER:

2 Second.

3 CHAIR HUNSBERGER:

4 All those in favor? Opposed?

5 Abstentions?

6 [The motion carried. Member Capiotis abstained from  
7 voting on the motion.]

8 \*\*\*

9 MS. PACHTER SCHULDER:

10 Is there a motion to authorize Counsel  
11 to prepare Adjudications and Orders in  
12 the matters of Francis Rene Ghisoiu,  
13 Case No. 23-51-018321; Euclide Aurel  
14 Michel, Case No. 23-51-016124; James J.  
15 Sasinowski, RN, Case No. 20-51-008196;  
16 and Tara Woznyj, RN, Case No. 22-51-  
17 002628?

18 DR. HELLIER:

19 So moved.

20 DR. BUCHER:

21 Second.

22 CHAIR HUNSBERGER:

23 All those in favor? Opposed?

24 Abstentions?

25 [The motion carried. Member Capiotis abstained from

1 voting on the motion.]

2 \*\*\*

3 MS. PACHTER SCHULDER:

4 Is there a motion to deny the  
5 Application of James Lester McKeithan,  
6 Application No. AA0005272934?

7 DR. HELLIER:

8 So moved.

9 MS. HERTZLER:

10 Second.

11 CHAIR HUNSBERGER:

12 All those in favor? Opposed?  
13 Abstentions?

14 [The motion carried. Member Capiotis abstained from  
15 voting on the motion.]

16 \*\*\*

17 MS. PACHTER SCHULDER:

18 Is there a motion in the matter of  
19 Tisho Ann John, Application No.  
20 AA0004926199, to deny the Application  
21 for a Clinical Nurse Specialist without  
22 prejudice?

23 DR. BUCHER:

24 So moved.

25 MS. HERTZLER:

1                   Second.

2 CHAIR HUNSBERGER:

3                   All those in favor?   Opposed?

4                   Abstentions?

5 [The motion carried.   Member Capiotis abstained from  
6 voting on the motion.]

7   \*\*\*

8 MS. PACHTER SCHULDER:

9                   Is there a motion to grant the  
10                   Reinstatement Application of Stacey M.  
11                   Williams, RN, Case No. 24-51-004666?

12 MS. HERTZLER:

13                   So moved.

14 DR. HELLIER:

15                   Second.

16 CHAIR HUNSBERGER:

17                   All those in favor?   Opposed?

18                   Abstentions?

19 [The motion carried.   Member Capiotis abstained from  
20 voting on the motion.]

21   \*\*\*

22 MS. PACHTER SCHULDER:

23                   Is there a motion to enter default,  
24                   deem the facts admitted, and to  
25                   authorize Counsel to prepare



1 Abstentions?

2 [The motion carried. Member Capiotis abstained from  
3 voting on the motion.]

4 \*\*\*

5 MS. PACHTER SCHULDER:

6 Is there a motion to grant the  
7 Commonwealth's Motion in *Limine* and  
8 authorize Counsel to prepare a  
9 Memorandum and Order explaining such in  
10 the matters of Femi Olaniyi, LPN, Case  
11 No. 23-51-006825, and Aniran Zalmai,  
12 LPN, Case No. 23-51-006810?

13 DR. HELLIER:

14 So moved.

15 MS. HERTZLER:

16 Second.

17 CHAIR HUNSBERGER:

18 All those in favor? Opposed?

19 Abstentions?

20 [The motion carried. Member Capiotis abstained from  
21 voting on the motion.]

22 \*\*\*

23 MS. PACHTER SCHULDER:

24 Is there a motion to adopt the Draft  
25 Adjudications and Orders in the matters

1 of Kathy Denise Jackson, RN, Case No.  
2 21-51-006116; Ryan Phillips, RN, Case  
3 No. 23-51-018393; Brittany Morgan  
4 Quarello, LPN, Case No. 22-51-001536;  
5 Gina L. Reese, LPN, Case No. 22-51-  
6 009557; Lisa Margaret Schumann, RN,  
7 Case No. 21-51-012936; Judith Louise  
8 Simms, RN, Case No. 23-51-004375; John  
9 Francis Tabaka, RN, Case No. 23-51-  
10 006631; Shakiera Monay Thomas, LPN,  
11 Case No. 21-51-001833; Senor Villette,  
12 LPN, Case No. 23-51-001724; Edward  
13 Donnelly, RN, Case No. 19-51-001853;  
14 and Susan Michele Dumas, LPN, Case Nos.  
15 22-51-016211 & 23-51-010822?

16 DR. HELLIER:

17 So moved.

18 MS. HERTZLER:

19 Second.

20 CHAIR HUNSBERGER:

21 All those in favor? Opposed?

22 Abstentions?

23 [The motion carried. Member Capiotis abstained from  
24 voting on the motion.]

25

\*\*\*

1 MS. PACHTER SCHULDER:

2                   Is there a motion to table the  
3                   Application of Jersey College and their  
4                   Proposal for Establishment of a  
5                   Prelicensure Practical Nursing  
6                   Education Program in Jenkintown, PA,  
7                   until such time as the program returns  
8                   to the Board and provides evidence of  
9                   specific and additional clinical  
10                  experience, not only in acute care but  
11                  also for Obstetrics and Pediatrics,  
12                  also clarification with regard to the  
13                  scope of practice for licensed  
14                  practical nurses by way of simulation  
15                  exercises and other information on  
16                  syllabi, and a further review of the  
17                  testing process such that there is an  
18                  assurance that the students are being  
19                  educated and tested on all matters that  
20                  would fall within the scope of practice  
21                  of a licensed practical nurse?

22                               Who would make a motion?

23 DR. HELLIER:

24                               So moved.

25 MS. HERTZLER:

1 Second.

2 CHAIR HUNSBERGER:

3 All those in favor? Opposed?

4 Abstentions?

5 [The motion carried. Member Capiotis abstained from  
6 voting on the motion.]

7 \*\*\*

8 [Judith Pachter Schulder, Esquire, Board Counsel,  
9 referred to an application from an individual from  
10 Nigeria, noting that the foreign credential  
11 evaluators that the Board has approved, Commission on  
12 Graduates of Foreign Nursing Schools (CGFNS) and  
13 Silny, advised the Board that Nigeria is not issuing  
14 verifications of licensure at the current time and  
15 neither is Zimbabwe.

16 Ms. Pachter Schulder stated that the Board  
17 decided based upon this unique information related to  
18 the affairs of the countries, that for countries that  
19 are not providing verifications of licensure, the  
20 foreign credentials evaluators be directed to release  
21 their evaluations to the Board without the  
22 verifications.

23 Ms. Pachter Schulder noted the applicant would be  
24 required to attest that a verification of licensure  
25 was requested from the country of licensure and that



1 the applicant does not have a disciplinary history  
2 rather than holding up the review of those  
3 applications until the verifications are provided.]

4 \*\*\*

5 MS. PACHTER SCHULDER:

6 Is there a desire for the Board to  
7 adopt this same procedure for other  
8 similarly situated applicants that come  
9 before the Board?

10 DR. HELLIER:

11 So moved.

12 MS. HERTZLER:

13 Second.

14 CHAIR HUNSBERGER:

15 All those in favor? Opposed?

16 Abstentions?

17 [The motion carried. Member Capiotis abstained from  
18 voting on the motion.]

19 \*\*\*

20 Adjournment

21 CHAIR HUNSBERGER:

22 May I have a motion for adjournment?

23 MS. HERTZLER:

24 So moved.

25 DR. HELLIER:

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Second.

CHAIR HUNSBERGER:

All those in favor? Opposed?

Abstentions?

[The motion carried unanimously.]

\*\*\*

[There being no further business, the State Board of  
Nursing Meeting adjourned at 12:37 p.m.]

\*\*\*

CERTIFICATE

I hereby certify that the foregoing summary  
minutes of the State Board of Nursing meeting, was  
reduced to writing by me or under my supervision, and  
that the minutes accurately summarize the substance  
of the State Board of Nursing meeting.



Rachel Wilbur,

Minute Clerk

Sargent's Court Reporting  
Service, Inc.

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TIME	AGENDA
9:01	Official Call to Order
9:02	Introduction of Board Members
9:02	Introduction of Attendees
9:06	Adoption of Agenda
9:07	Approval of Minutes
9:05	Report of Prosecutorial Division
9:15	Appointment - Jersey College's Proposal for Establishment of a Prelicensure Practical Nursing Program in Jenkintown, PA
9:48	Pennsylvania Legislative Update
9:59	Regulation Update
10:21	Miscellaneous
10:35	Recess
10:44	Return to Open Session
10:45	Report of Acting Commissioner
10:46	Report of Committees
10:47	Report of Board Members Who Attended a Meeting on Behalf of the Board
10:49	Report of Executive Secretary
10:56	Public Comment
10:58	Executive Session
12:25	Return to Open Session

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TIME	AGENDA
12:25	Motions
12:37	Adjournment