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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: 9:09 A.M.

Held at

PENNSYLVANIA DEPARTMENT OF STATE

2601 North Third Street

One Penn Center, Board Room C

Harrisburg, Pennsylvania 17110

as well as

VIA MICROSOFT TEAMS

July 20, 2023

State Board of Nursing
July 20, 2023

BOARD MEMBERS:

Linda L. Kmetz, PhD, RN, Chair
Arion R. Claggett, Acting Commissioner, Bureau of
Professional and Occupational Affairs
Ann Michele Coughlin, DNP, MBA, RN, Vice Chair
Sue E. Hertzler, LPN
Linda A. Kerns, Esquire, Public Member
Kristin Malady, BSN, RN
Bridget E. Vincent, MSN, CRNP, APN-BC, CCRN - Absent
Colby P. Hunsberger, DNP, RN, CNEcl
Tina D. Siegel, LPN
Charlene W. Compber, PhD, RD, LDN, FASPEN
Donald H. Bucher, DNP, ACNP-BC, CCRN

COMMONWEALTH ATTORNEYS:

Carole Clarke Smith, Esquire, Senior Board Counsel
Judith Pachter Schulder, Esquire, Board Counsel
Ariel E. O'Malley, Esquire, Board Counsel
Todd P. Kriner, Esquire, Board Counsel
Megan E. Castor, Esquire, Board Counsel
Aaron Rawdin, Legal Intern, Board Counsel Division
Ashley Goshert, Esquire, Board Counsel
William Newport, Esquire, Senior Board Prosecutor,
Prosecution Co-Liaison
T'rese Evancho, Esquire, Board Prosecutor,
Prosecution Co-Liaison
Codi M. Tucker, Esquire, Board Prosecutor
Kathryn E. Bellfy, Esquire, Board Prosecutor
Trista Boyd, Esquire, Board Prosecutor
David J. Schertz, Esquire, Board Prosecutor
Matthew T. Sniscak, Esquire, Board Prosecutor
Garrett A. Rine, Esquire, Board Prosecutor
Alexis Capitello, Legal Analyst, Prosecution Division
Carolyn A. DeLaurentis, Esquire, Executive Deputy
Chief Counsel, Department of State

DEPARTMENT OF STATE AND BOARD STAFF:

Wendy Miller, MSN, RN, Executive Secretary
Cynthia K. Miller, Board Administrator
Sue Petula, PhD, MSN, RN, NEA-BC, FRE, Nursing
Education Advisor Annuitant
Leslie House, MSN, RN, Nursing Practice Advisor

State Board of Nursing
July 20, 2023

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DEPARTMENT OF STATE AND BOARD STAFF: (Cont.)

Susan Bolig, RN, Nursing Practice Advisor
Michael McDonald, Director, Office of Policy,
Department of State
Danie Bendesky, Director of Intergovernmental
Affairs, Department of State
Andrew LaFratte, MPA, Executive Policy Specialist,
Department of State

ALSO PRESENT:

Angela Tekely, EdD, Vice President for Academic
Affairs & Provost, Immaculata University
Pamela Hudson, DBA, RN, Director of MSN Program,
Immaculata University
Jane Tang, PhD, RN, NE-BC, Chair, Division of
Nursing, Immaculata University
Edward Walton, DHSc, CRNP, FNP-C, CWS, CFCS, Associate
Professor, Family Nurse Practitioner Track
Coordinator, Immaculata University
Mary Powell, PHD, CRNP, CDCES, Dean, College of
Nursing and Health Professions, Immaculata
University
Christopher D. Nickell, MS Ed, Chief Executive
Officer, Great Lakes Institute of Technology
Tina M. VanBuren, DNP, MSN, RN, CCNS, Director of
Nursing, Joseph F. McCloskey School of Nursing
Jennifer Jones-Lapp, DNP, RN, NEA-BC, Director of
Strategic Development, Joseph F. McCloskey School of
Nursing
Susan C. Lewis, MSN, RN, Practical Nursing Program
Director, Fayette County Career & Technical
Institute
Andrea Wandling, PHR, SHRM-CP, Human Resources
Manager, Pennsylvania Association of Community
Health Centers
Katie Noss, Manager, Clinical and Quality Improvement,
Pennsylvania Association of Community Health Centers
Janyce L. Collier, MSN, RN, CNE
Joshua Adams, DNP Student, Duquesne University
Maggie Johnson, MSN, RN, Coordinator, Practical
Nursing Program, Northern Tier Career Center
Pam Hughes, MSN, CRNP, FNP-C
Misha Patel, Esquire, Pennsylvania Medical Society

State Board of Nursing
July 20, 2023

ALSO PRESENT: (Cont.)

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7 Jenny Piper, Board Administrator, Board of Private
8 Licensed Schools, Pennsylvania Department of
9 Education
10 Lisa Storck, DNP, RN, Program Director, St. Luke's
11 School of Nursing
12 Jean Marie Truman, DNP, Director of Assessment/Program
13 Review, Associate Professor of Nursing,
14 University of Pittsburgh at Bradford
15 Tyler Burke, Milliron Goodman, LLC
16 Wesley J. Rish, Esquire, Rish Law Office, LLC
17 Laurie Badzek, LLM, JD, MS, RN, Dean, College of
18 Nursing, Pennsylvania State University
19 Helen Burns, PhD, RN, NEA-BC, FAAN, Director, Nursing
20 Program, Saint Vincent College
21 P. Daniel Altland, Esquire Pennsylvania Association of
22 Nurse Anesthetists
23 Louise S. Frantz, RN, BSN, MHA, Ed, Coordinator,
24 Practical Nursing Program, Penn State Berks
25 Lori Spiezio, RN, Director of Nursing, Lansdale
26 School of Business
27 Michelle Davis, RN, MSN, Director of Nursing, Lincoln
28 Technical Institute - Allentown
29 Renee Bollenbach, Holy Family University
30 Tom Dougherty, Government Relations Specialist,
31 Pennsylvania State Nurses Association
32 Nicole Campbell, Division Chief, Division of Law
33 Enforcement Education and Trade Schools,
34 Pennsylvania Department of Education
35 Maria C. Battista, JD, EdD, The Judge Group
36 Torrie Smith, Adult Education Security, Fayette County
37 Career and Technical Institute
38 Susan Benning, Business Manager, Fayette County Career
39 and Technical Institute
40 Lisa Leitch, Nursing Manager, Temple University
41 Melissa Mueller
42 Marlon Keller, President, Lansdale School of Business
43 Maryanne Johnson Executive Director, Lansdale School
44 of Business
45 Mary Marshall, Director, Workforce & Professional
46 Development, The Hospital and Healthsystem
47 814-864-6666
48 717-657-1222
49 724-833-4109
50 570-527-7480

State Board of Nursing
July 20, 2023

570-640-0448
Derek Richmond, Sargent's Court Reporting Service,
Inc.

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2 State Board of Nursing

3 July 20, 2023

4 ***

5 The regularly scheduled meeting of the State
6 Board of Nursing was held on Thursday, July 20, 2023.
7 Linda L. Kmetz, PhD, RN, Chair, called the meeting to
8 order at 9:09 a.m.

9 ***

10 Introduction of Board Members

11 [Linda L. Kmetz, PhD, RN, Chair, requested an
12 introduction of Board members.]

13 ***

14 Introduction of Board Staff

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

17 ***

18 Introduction of Board Counsel

19 [Carole Clarke Smith, Esquire, Senior Board Counsel,
20 identified Board Counsel.]

21 ***

22 Introduction of Board Prosecution

23 [Linda L. Kmetz, PhD, RN, Chair, requested an
24 introduction of Board Prosecution.]

25 ***

1 Introduction of Gallery Attendees

2 [Linda L. Kmetz, PhD, RN, Chair, requested an
3 introduction of gallery attendees.]

4 ***

5 Introduction of Virtual Attendees

6 [Cynthia K. Miller, Board Administrator, provided an
7 introduction of virtual attendees.]

8 ***

9 [Judith Pachter Schulder, Esquire, Board Counsel,
10 informed everyone that the meeting was being recorded
11 and voluntary participation constituted consent to be
12 recorded.]

13 ***

14 Adoption of the Agenda

15 CHAIR KMETZ:

16 The agenda is before you. We do have
17 one addition, Consent Agreement, 23-51-
18 006579.

19 Motion to amend?

20 DR. COUGHLIN:

21 So moved.

22 DR. HUNSBERGER:

23 Second.

24 CHAIR KMETZ:

25 All those in favor? Opposed?

1 Abstentions?

2 [The motion carried unanimously.]

3 ***

4 Adoption of Minutes

5 [Linda L. Kmetz, PhD, RN, Chair, noted the Board did
6 not have minutes from the previous meeting to
7 approve.]

8 ***

9 Report of Prosecutorial Division

10 [Chair Kmetz noted VRP Consent Agreement items 2
11 through 12.]

12 ***

13 [Chair Kmetz noted Mr. Schertz' Consent Agreement.]

14 ***

15 [Chair Kmetz noted Ms. Bellfy's item 13.

16 Wesley J. Rish, Esquire, Rish Law Office, LLC,
17 Counsel for the Respondent, was present regarding
18 item 13.]

19 ***

20 [Chair Kmetz noted Ms. Boyd's item 14.]

21 ***

22 [Chair Kmetz noted Ms. Evancho's items 15 through
23 18.]

24 ***

25 [Chair Kmetz noted Mr. Sniscak's item 19.]

1 ***

2 [Chair Kmetz noted Ms. Tucker's items 20 and 21.]

3 ***

4 Appointment - Introduction

5 [Michael McDonald, Policy Director, Department of
6 State, introduced himself and provided a brief
7 history of his professional background. He informed
8 everyone that the Policy Office works closely with
9 all the licensing boards and commissions to research
10 and develop policy initiatives, along with
11 researching other states.

12 Mr. McDonald noted they work closely with Board
13 Counsel to help review and draft regulations. He
14 mentioned also working with people in the Governor's
15 Office and the Secretary of the Commonwealth to
16 implement their policy agenda. He offered to be a
17 resource for the Board on any ideas or concerns or
18 initiatives the Board may want to implement.

19 Mr. McDonald thanked Board members for their
20 service to the Commonwealth of Pennsylvania.]

21 ***

22 Appointment - Immaculata University Proposal for
23 Establishment of the Master of Science in Nursing
24 Family (Individual Across the Lifespan) and Post-
25 Master's Family (Individual Across the Lifespan)

1 Nurse Practitioner Certificate
2 [Angela Tekely, EdD, Vice President for Academic
3 Affairs & Provost; Pamela Hudson, DBA, RN, Director
4 of MSN Program; Jane Tang, PhD, RN, NE-BC, Chair,
5 Division of Nursing; Edward Walton, DHSc, CRNP, FNP-
6 C, CWS, CFCS, Associate Professor, Family Nurse
7 Practitioner Track Coordinator; and Mary Powell, PHD,
8 CRNP, CDCES, Dean, College of Nursing and Health
9 Professions, appeared before the Board on behalf of
10 Immaculata University.

11 Dr. Powell stated Immaculata has a long tradition
12 of providing nursing education and jumped into the
13 fray with generic bachelor's education and then with
14 master's education. She noted having a master's
15 track in nursing administration or nursing education
16 and a very fine regional reputation.

17 Dr. Powell noted that following a needs
18 assessment a few years ago, it was determined that a
19 family nurse practitioner program would serve
20 students and the community very well. She reported
21 Chester County to be the wealthiest county in the
22 state but also has pockets of underserved
23 populations.

24 Dr. Powell explained that the program is 44
25 credits at the master's level, and they are also

1 proposing a post-master's certificate. She noted the
2 credits can vary depending on the gap analysis and
3 what the needs might be of the student to assure the
4 student achieves the appropriate competencies.

5 Dr. Powell noted utilizing the American
6 Association of Colleges of Nursing's (AACN)
7 Essentials and new National Task Force Guidelines for
8 Nurse Practitioner programs to develop the curriculum
9 map. She also noted incorporating 825 clinical hours
10 to assure students are meeting the latest Essentials'
11 recommendations that national bodies are
12 recommending. She stated they have three clinical
13 courses, each of 225 clinical hours and an immersion
14 practicum for 150 hours in accord with the new
15 Essentials for a total of 825.

16 Dr. Powell commented that they are looking
17 forward to moving ahead with the program pending
18 Board approval.

19 Chair Kmetz thanked Immaculata University for
20 creating a thorough proposal that was easy to read.

21 Dr. Powell commented that Susan Bolig and Wendy
22 Miller have been phenomenal to work with and noted
23 being grateful for the Board's assistance and
24 guidance along the way.

25 Ms. Malady requested information regarding

1 faculty. Dr. Powell stated Immaculata has four
2 family nurse practitioners and one gerontological
3 nurse practitioner, along with support faculty who
4 teach other courses, policy, and research. She noted
5 Immaculata is developing and nurturing the relations
6 they have and are building on their strong reputation
7 around the community. She felt confident with being
8 able to acquire prepared preceptors within the
9 networks wherein they have relationships.

10 Dr. Bucher asked whether they would be assisting
11 students in finding clinical sites and preceptors
12 because it is a challenge in a lot of the programs.
13 He commented that the clinical hours were a great
14 part of their proposal. Dr. Powell explained that it
15 is the responsibility of the faculty to put the seal
16 of approval on clinical sites and find preceptors.
17 She stated students come from a variety of
18 backgrounds and bring their own professional
19 networks, where they may have identified a preceptor
20 whose practice they respect, but every preceptor
21 would be vetted by the faculty so that the students
22 are absolutely not out on their own.

23 Ms. Pachter Schulder welcomed Immaculata
24 University to stay until after Executive Session but
25 noted a letter would be sent with the Board's

1 decision or they may attend the meeting virtually.]

2 ***

3 Regulation Update

4 [Judith Pachter Schulder, Esquire, Board Counsel,
5 noted a Regulations Committee Meeting at 11 a.m. to
6 discuss the Nursing Education Program regulations.

7 Ms. Pachter Schulder noted Ms. Megan Castor is
8 working on 16A-5139 regarding the Volunteer License
9 regulation.

10 Ms. Pachter Schulder addressed 16A-5143 regarding
11 Continued Competency and Licensure by Endorsement
12 under 63 Pa.C.S. 6311, noting the final form was
13 approved by the Board last month and has been sent to
14 regulatory counsel for review.

15 Ms. Pachter Schulder addressed 16A-5145 regarding
16 CRNA Licensure, noting the proposed form regulation
17 has also been sent to regulatory counsel for review.

18 Ms. Pachter Schulder noted 16A-5146 regarding
19 Opioid Prescription and Education and Organ Donation
20 Education is being reviewed by the Office of Attorney
21 General and has been approved by the Governor's
22 Budget Office, Policy Office, and Office of General
23 Counsel. She noted the Office of Attorney General
24 submitted a question and she would write a response
25 and return it to the Attorney General's Office.

1 Ms. Pachter Schulder stated it would be published
2 in proposed form after approval. She informed organ
3 donation organizations of this progress because they
4 wanted to make sure that all the modules are ready.
5 She mentioned there would be a 30-day public comment
6 period and then come back to the Board again. She
7 noted the effective date would be extended because
8 the modules would not be ready.

9 Ms. Pachter Schulder had no new progress to
10 report for 16A-5147 regarding the Nurse Licensure
11 Compact (NLC). She noted the importance of the
12 criminal background check (CHRC) language being
13 approved by the Federal Bureau of Investigation (FBI)
14 so that it could be incorporated into the statute by
15 the legislature. She stated without that, the Board
16 could not move forward with full implementation. She
17 also indicated that with statutory authority perhaps
18 the Board would issue temporary regulations to assist
19 in the implementation of the Compact.

20 Ms. Pachter Schulder addressed the technology
21 piece required for full implementation and indicated
22 that in addition to building a new licensure class,
23 the licensure system will have to be able to toggle
24 back and forth between a multistate license and a
25 single state license because if someone were to be

1 disciplined, change their primary state of residence,
2 or go into an alternative discipline program, that
3 individual would not be able to have a multistate
4 license anymore. She mentioned that the person who
5 changes the primary state residence would have to get
6 a new multistate license for Pennsylvania.

7 Ms. Pachter Schulder noted federal legislation
8 has been introduced called the States Handling Access
9 to Reciprocity for Employment (SHARE) Act that would
10 allow the FBI to provide criminal background check
11 information to the states and allow sharing of
12 information between states or between Compact
13 members. She reported the legislation has not moved
14 significantly.

15 Ms. Pachter Schulder explained that the proposed
16 CHRC language would require all health care
17 practitioner applicants to obtain a federal
18 background check in order to obtain a license.

19 Ms. Pachter Schulder addressed the Bureau of
20 Professional and Occupational Affairs (BPOA)
21 regulation regarding Crimes Directly Related to the
22 Profession. She noted the Board received a packet of
23 comments to review.]

24 ***

25 Pennsylvania Legislative Update - Legislation

1 Affecting Nurses/Nursing

2 [Judith Pachter Schulder, Esquire, Board Counsel,
3 noted several bills were introduced, but the Senate
4 is not supposed to be back until September, and the
5 House may also not be coming back until September.
6 She noted Senate Bill 83 would amend the current law
7 for medical marijuana. She stated there are
8 currently no specific provisions to allow for
9 certified registered nurse practitioners (CRNPs) to
10 prescribe medical marijuana but that is included in
11 that bill.

12 Ms. Pachter Schulder reminded everyone that even
13 people who are prescribed medical marijuana may hold
14 a professional license; however, if the individual
15 has an impairment, whether it be from prescribed pain
16 medication or alcohol impairment, the individual
17 cannot practice. She stated that under the rules for
18 the Professional Health Monitoring Program (PHMP),
19 that just having a prescription for medical marijuana
20 is not ipso facto evidence that a person has an
21 impairment.

22 Ms. Pachter Schulder noted House Bill 1530
23 increases access to school nurses, psychologists,
24 social workers, and nurses.

25 Ms. Pachter Schulder noted House Bill 1431

1 involves work-related compensation for hospitalized
2 or quarantined frontline workers.

3 Ms. Pachter Schulder addressed House Bill 1403
4 regarding nursing school accreditation. She
5 explained that the language would remove the
6 requirement for regional accreditation. She noted
7 the requirement only appears in the licensed
8 dietitian nutritionist (LDN) and clinical nurse
9 specialist (CNS) sections of the Professional Nursing
10 Law but needed to check to see if it also appears for
11 certified registered nurse anesthetist (CRNAs). She
12 stated the statutory provisions for RNs, LPNs, and
13 CRNPs require an accredited program while the
14 language for LDNs and CNSs require regional
15 accreditation. She noted that the Board suspended
16 enforcement of its practice that controlling
17 institutions possess regional accreditation in light
18 of the federal regulations that said the United
19 States Department of Education (USDOE)-recognized
20 programs are properly accredited.

21 Ms. Pachter Schulder stated the USDOE
22 incorporated all of those regional accreditors within
23 the USDOE accreditation. She explained that it may
24 be necessary for LDNs and CNSs and possibly for the
25 CRNA regulations to be amended if the bill were to be

1 enacted.

2 Ms. Pachter Schulder noted House Bill 1249 is a
3 tax credit of \$2,500 a year for three years for new
4 nurses, teachers, and police officers.

5 Ms. Pachter Schulder addressed Senate Resolution
6 143. She noted it is setting up an Artificial
7 Intelligence Task Force and talks about the use of AI
8 in healthcare. She provided an article regarding
9 whether nurses can be replaced with AI.

10 Ms. Pachter Schulder noted Senate Bill 822 would
11 set up a nurse health program. She discussed
12 differences between the nurse health program and
13 PHMP. She noted it to be a nurse health program as
14 opposed to PHMP but that it is still the same system
15 that requires a contract with a peer review peer
16 group that is going to administer with the assistance
17 of PHMP. She explained that the only place there may
18 be a difference is the discussion about various
19 treatment options and various situations.

20 Ms. Pachter Schulder stated PHMP relies upon an
21 evaluation which indicates how long the licensee
22 needs to be evaluated. She mentioned that the co-
23 sponsorship memo mentions reducing costs but noted
24 the bill does not address costs.

25 Ms. Pachter Schulder addressed Senate Bill 817

1 regarding primary care preceptor community health
2 centers, which allows nursing schools to participate
3 in having students go to those centers.

4 Ms. Pachter Schulder noted Senate Bill 247 is the
5 Patient Safety Act, where it would be a 2:1 patient
6 to staff ratio for neonatology and 4:1 ratio for
7 surgery. She mentioned a previous bill that set
8 ratios for certain inpatient facilities. The
9 rationale in favor of the bill is to reduce staff
10 workload and improve patient care. The rationale
11 against is the detriment to the patients who will not
12 be able to be treated/admitted when the facility
13 reaches its limit.

14 Ms. Pachter Schulder noted Senate Bill 100
15 concerns improving Lyme Disease testing and
16 coverage.]

17 ***

18 Report of Board Chairperson

19 [Linda L. Kmetz, PhD, RN, Chair, referred to the
20 the National Council of State Boards of Nursing
21 (NCSBN) Annual Meeting in August, noting no one from
22 the Board is running for elected office.]

23 ***

24 Report of Acting Commissioner

25 [Arion R. Claggett, Acting Commissioner, BPOA,

1 advised that BPOA licensing staff moved to 2525 North
2 7th Street in Harrisburg on July 10, 2023. He noted
3 walk-in hours are 8:30 a.m. to 4:00 p.m. He also
4 noted the Board's website has been updated and a
5 notification has been emailed to all licensees. He
6 stated their mailing address is the same and to
7 continue to utilize the post office box.

8 Acting Commissioner Claggett also advised that
9 Board meetings would continue to be held at One Penn
10 Center until further notice.

11 Chair Kmetz thanked everyone who assisted with
12 the move.]

13 ***

14 Report of Committees - Probable Cause Screening
15 Committee

16 [Sue E. Hertzler, LPN, noted the Probable Cause
17 Screening Committee moved on three Petitions for
18 Appropriate Relief, eight Petitions for Mental and
19 Physical Evaluation, and zero Petitions for Immediate
20 Temporary Suspension.]

21 ***

22 Report of Committees - Application Review Committee

23 [Kristin Malady, BSN, RN, noted the Application
24 Review Committee met several times via email and
25 moved those cases forward in the process.]

1 ***

2 Report of Committees - Advanced Practice (Education,
3 Regulation, & Application) - No Report

4 ***

5 Report of Committees - RN/PN Practice, Education, &
6 Regulation - No Report

7 ***

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

10 ***

11 IT & Communication Issues Committee - No Report

12 ***

13 Report of Board Members Who Attended a Meeting on
14 Behalf of the Board - No Report

15 ***

16 Report of Executive Secretary

17 [Wendy Miller, MSN, RN, Executive Secretary,
18 reiterated Acting Commissioner Claggett's comments
19 regarding the move to 2525 North 7th Street, noting
20 an update would also be sent to all the program
21 directors for CRNP and prelicensure with a reminder
22 of their mailing address, physical location, and
23 courier address.

24 Ms. Miller stated Advisors have been very busy
25 with the transition of the Education Program Portal

1 and Information Communication Channel (eppiccNURSE)
2 into the Pennsylvania Licensing System (PALS). She
3 mentioned that things went well overall, and the
4 eppiccNURSE functions in PALS are working and
5 similar. Ms. Miller thanked all the prelicensure and
6 CRNP program directors for their patience concerning
7 any problems. She encouraged anyone who continues to
8 have difficulty to contact the Board.]

9

10 [Arion R. Claggett, Acting Commissioner, Bureau of
11 Professional and Occupational Affairs, exited the
12 meeting at 9:56 a.m.]

13

14 [Linda L. Kmetz, PhD, RN, Chair, exited the meeting
15 at 9:56 a.m. for recusal purposes.]

16

17 VICE CHAIR COUGHLIN ASSUMED THE CHAIR

18

19 Appointment - Great Lakes Institute of Technology
20 [Judith Pachter Schulder, Esquire, Board Counsel,
21 informed everyone that Mr. Christopher Nickell, MS
22 Ed, Chief Executive Officer, is before the Board
23 regarding approval of a new director, status of the
24 teach-out plan, and pass rates. She requested
25 information on the new director, noting

1 qualifications require the individual to have a
2 bachelor's degree. She also noted the three quarters
3 pass rate was 65.22% with a 77.78% pass rate for the
4 third quarter, 57.14% for the second quarter, and
5 57.14% for the first quarter.

6 Mr. Nickell informed Board members that he has
7 determined the program is not fixable because of the
8 historic National Council Licensure Examination
9 (NCLEX®) pass rates, curriculum, leadership, and the
10 faculty. He noted submitting the teach-out plan to
11 the Board and the accreditation agency. He reported
12 losing one student to a serious medical emergency
13 since that teach-out plan, but the student would be
14 returning and would again have all students intact.

15 Mr. Nickell reported 21 of 21 students remain
16 since that teach-out plan was announced. He stated
17 the prior program director walked out and attempted
18 to take all of the faculty with her on June 30. He
19 noted several of those faculty members remained,
20 along with a nurse at Great Lakes since 2019 who
21 would be leading the program for the next eight
22 months.

23 The Board questioned Mr. Nickell on whether there
24 are any Bachelor of Science (BSN)-prepared nurses on
25 the faculty to serve as the program director. Mr.

1 Nickell noted that there are two BSN instructors on
2 staff along with another full-time instructor but
3 indicated that the staff and the administration
4 preferred the longer tenured non-BSN prepared
5 instructor.

6 Mr. Nickell noted having three cohorts left with
7 four students who would graduate at the end of
8 September, seven at the end of December, and the
9 remaining 10 at the end of March, with only two of
10 those 21 remaining students academically at risk. He
11 reported nine students graduated in July with two of
12 those passing the NCLEX® and seven scheduled through
13 the end of this month into August.

14 Mr. Nickell stated pass rates have gone up, the
15 program has been stable, and students and faculty are
16 happy. He further explained that their pass rate is
17 now in the mid-70s, and the Assessment Technologies
18 Institute (ATI) process has made the improvement. He
19 noted the sonographer tutor has been engaged with
20 nursing students and helping them on science-specific
21 material.

22 Ms. Pachter Schulder informed Great Lakes
23 Institute of Technology that the Board would
24 deliberate in Executive Session regarding its
25 continuation of provisional status and the request to

1 appoint a non-BSN prepared nurse to serve as program
2 administrator.]

3 ***

4 [Linda L. Kmetz, PhD, RN, Chair, reentered the
5 meeting at 10:05 a.m.]

6 ***

7 CHAIR KMETZ RESUMED THE CHAIR

8 ***

9 Appointment - Joseph F. McCloskey School of Nursing -
10 Extension of Provisional Status

11 [Tina VanBuren, DNP, MSN, RN, CCNS, Director of
12 Nursing, and Jennifer Jones-Lapp, DNP, RN, NEA-BC,
13 Director of Strategic Development, presented on
14 behalf of Joseph F. McCloskey School of Nursing.

15 Judith Pachter Schulder, Esquire, Board Counsel,
16 noted a 100% third quarter pass rate, a 66.67% second
17 quarter pass rate and a 0% first quarter pass rate
18 for a total pass rate for three quarters of 63.89%.
19 She requested more information regarding the
20 improvement in hopes of it continuing into the next
21 quarter.

22 Dr. VanBuren indicated that the improvement was
23 due to the leadership and the requirement to take the
24 Virtual ATI Comprehensive Predictor and Content
25 Mastery Exams. She addressed the practicum for

1 seniors that was used at the end of the semester,
2 along with a comprehensive predictor that was
3 administered before finals. She mentioned McCloskey
4 required students to obtain a minimum of a 93%
5 percent pass probability to pass on the Virtual ATI
6 Comprehensive Predictor and other content areas
7 through medical-surgical. She reported that at least
8 half the students got the 93% or above.

9 Dr. VanBuren stated faculty became employees of
10 the hospital but were not permitted to work through
11 the summer because of being contracted. She noted
12 keeping tutors online during the summer to work with
13 students who did not have the minimum of 93% or did
14 not work up through med-surge in Virtual ATI.

15 Dr. VanBuren noted that anybody who did not reach
16 the 93% probability to pass by the end of May was
17 required to go through all of Virtual ATI up to and
18 including the comprehensive exam to obtain the "green
19 light." She noted the majority of the students with
20 the exception of three students have been in the area
21 of the "green light." She reported 16 out of 16
22 graduates who tested in the third quarter passed the
23 NCLEX® and have license numbers in PALS for an annual
24 total of 30 who graduated.

25 Dr. VanBuren reported having specific test dates

1 on all students except for two. She noted two people
2 did not meet the criteria of the 93% probability to
3 pass including the Comprehensive Predictor. She
4 stated students who take their exam first are better
5 students. She noted having the same exact faculty
6 this year as last year and having high expectations
7 with continuing to build on their current practices
8 and the weekly report with Virtual ATI.

9 Dr. Jones-Lapp reiterated that students who did
10 not hit the 93% were mandated to go to tutors and
11 required to meet a certain grade, which helped them
12 understand the curriculum and the content.

13 Dr. Jones-Lapp noted that Lehigh Valley Health
14 Network would be investing millions of dollars in
15 their school and relocate them across the street to
16 the old hospital to have a nursing school that would
17 hold up to 200 students. She stated Alvernia
18 Pottsville is their dual enrollment program and doing
19 all of the prerequisites for our students, where only
20 33 credits are required for their bachelor's degree.

21 Dr. Jones-Lapp commented that the Lehigh Valley
22 Health Network has invested in them, and they have
23 many plans to bring back to the Board once they come
24 off provisional status for evening and weekend
25 programs. She noted being able to offer tuition

1 waivers, where Lehigh Valley Health Network employees
2 could go to school for free. She stated they would
3 love to petition to come off provisional, noting
4 quarter three is in the 60s but currently over a 50
5 percent pass rate at 100 percent with the current
6 students.

7 Chair Kmetz requested more information regarding
8 their leadership team continuing to develop and grow
9 effectively. Dr. VanBuren stated she runs the
10 academic part of things, and Dr. Jones-Lapp handles
11 the strategic areas. She noted the predecessor was
12 doing all that as one person without any experience
13 as a director of a nursing program. She addressed
14 her and Dr. Jones-Lapp's roles and the balance with
15 having experience running nursing programs and being
16 a chief nursing officer.

17 Dr. Jones-Lapp also addressed faculty as part of
18 their leadership team and one of their biggest
19 growths was empowering them, which she believed to be
20 the reason they have retained 100% this year. She
21 commented that having standard work and processes
22 needed to run a unit is also needed to run a school.

23 Chair Kmetz requested information concerning
24 grade inflation. Dr. VanBuren noted reviewing
25 syllabi, adjusting it in the winter semester, and

1 then making it more standardized in the fall. She
2 also addressed earning points with remediation and
3 mandatory tutoring.

4 Dr. Jones-Lapp addressed conversations with
5 Alvernia to ensure students were having true lab and
6 asked that they go away from some of the electronic
7 learning. She reported seeing a huge change with
8 incoming juniors, where they all had different grade
9 scales and landed at different places, which would
10 also help coming into this year.

11 Dr. Hunsberger asked how questions were being
12 chosen for the final examination and whether faculty
13 has been sent for continuing education or training.

14 Dr. VanBuren addressed utilizing the Assessment
15 Builder from ATI and using validated questions from a
16 variety of sources. She noted faculty is encouraged
17 to change questions to not be exactly the same as in
18 a test bank but to meet the objectives.

19 Dr. Jones-Lapp noted sending two faculty members
20 to ATI concerning test writing and simulation courses
21 for certification to grow their overall development.

22 Dr. VanBuren noted sending four people to a
23 conference, noting some of the main training is how
24 to interpret the results of their exam, along with
25 having a full consulting day scheduled.

1 Ms. Pachter Schulder informed McCloskey that the
2 Board would review their information during Executive
3 Session and make a determination about extending the
4 provisional status.]

5

6 Appointment - Fayette County Career & Technical
7 Institute - Extension of Provisional Status
8 [Susan C. Lewis, MSN, RN, Practical Nursing Program
9 Director, presented on behalf of Fayette County
10 Career & Technical Institute.

11 Judith Pachter Schulder, Esquire, Board Counsel,
12 advised that Fayette County Career & Technical
13 Institute has a three quarter pass rate of 65.71%
14 with a last quarter pass rate that increased to 77.8
15 percent. The second quarter pass rate was 40%, and
16 the first quarter pass rate was 76.92%.

17 Ms. Lewis attributed the pass rates to their
18 transition with Cheswick campus students. She noted
19 the turnover rate for teachers was 100% but believed
20 the current faculty are highly invested in the
21 students, including a third faculty member who was
22 hired in July.

23 Ms. Lewis addressed the pass rate, noting six
24 students passed and scored at least a level 2 or
25 above for ATI and level 2 or above on their

1 comprehensive, but those who failed were around level
2 1. She noted she has been evaluating and watching
3 the outcome data and in discussions to get them to a
4 level 2. She reported not getting the most highly
5 qualified students but believed they have potential.
6 She stated students graduating in September are
7 scoring at a level 2 or above.

8 Ms. Lewis addressed ATI Lab Review in August and
9 NCLEX® Review prep classes. She noted being hopeful
10 with retention of the faculty and scores at a level
11 2. She mentioned that the correlation is unremarkable
12 looking at the pass rates and the level students are
13 achieving. She noted almost everyone who gets a
14 level 1 is not passing on the first time and she
15 would be focusing on getting that changed to a level
16 2 by making sure all are getting the information from
17 the courses.

18 Ms. Lewis addressed curriculum changes with the
19 addition of more content and lab in almost every
20 course and every level that they are then applying to
21 the clinical setting. She stated the first full
22 class that would have the full curriculum, all of the
23 lab and the ATI scores, would be the next March
24 class. She also noted that the September cohort has
25 had at least nine months of implementation of the new

1 curriculum.

2 Ms. Lewis reported having one person who needs to
3 test from the class that just graduated and one from
4 the Cheswick campus. She noted all their courses and
5 test banks are based on the Next Generation.

6 Chair Kmetz asked how they adjusted course hours
7 and what data analytics were utilized. Ms. Lewis
8 explained that they were spending too much time on
9 specific courses that were not valuable because they
10 could not get all the content from their syllabus
11 into that course. She noted using Mountain
12 Measurements and ATI Analytics along with test bank
13 questions. She believed there was a lot of grade
14 inflation and extra points prior to the new team,
15 where emphasis is now put on tests. She noted that
16 the complexity of the questions and courses need to
17 change and would start with the ATI levels.

18 Ms. Lewis commented that changes needed to be
19 made because there were too many ways for students to
20 pass who were not ready and did not know the content.

21 Chair Kmetz requested information concerning
22 faculty development. Ms. Lewis explained that they
23 have a staff member for the entire school who works
24 specifically with faculty development. She noted
25 working on how to create an effective rubric and

1 using that during registered nurse (RN) service days
2 to work directly with faculty. She noted the
3 Executive Director for their program is really
4 invested in faculty development and provided
5 literature.]

6

7 [The Board recessed from 10:53 a.m. until 11:02 a.m.]

8

9 New Business - 2023 NCSTN Basic Board of Nursing
10 Investigator Training (BBONIT)

11 CHAIR KMETZ:

12 We need a motion that we are suggesting
13 that two people from BEI go to Basic
14 Board of Nursing Investigator Training.

15 MS. MALADY:

16 I'd like to make a motion to send two
17 people from BEI to the 2023 NCSTN Basic
18 Board of Nursing Investigator Training.

19 DR. COUGHLIN:

20 Second.

21 CHAIR KMETZ:

22 All those in favor? Opposed?
23 Abstentions?

24 [The motion carried unanimously.]

25

1 New Business - 2023 NCLEX Conference

2 [Linda L. Kmetz, PhD, RN, Chair, encouraged everyone
3 to participate at the 2023 NCLEX Conference since it
4 is available virtually.]

5 ***

6 Regulatory Committee Meeting

7 [Judith Pachter Schulder, Esquire, Board Counsel,
8 addressed 16A-5141 regarding Nursing Education
9 Program regulations and the provisions that have
10 changed since the Board originally adopted the
11 regulations. She advised that she is hoping to have
12 the last piece of data for the Regulatory Analysis
13 Form completed by the end of next week so that the
14 package could be reviewed by regulatory counsel in
15 August. She thanked the Advisors, especially Dr.
16 Petula, for obtaining a lot of background
17 information.

18 Ms. Malady thanked Ms. Pachter Schulder for an
19 amazing piece of work.

20 Ms. Pachter Schulder explained that the
21 regulation package removes and replaces the three
22 separate chapters for the Nursing Education Program
23 and puts them into one consolidated chapter. She
24 noted it also amends existing sections of the
25 regulation that are impacted by the consolidation.

1 She referred to the definition of "comprehensive
2 nursing assessment," which is being added to § 21.1
3 because it is used in 21.942(b)(4) addressing RN and
4 PN general content requirements.

5 Ms. Pachter Schulder noted input was received
6 from the stakeholders as the regulations were being
7 written. She stated the definitions of "examination
8 year" and "systematic evaluation plan" are being
9 moved from the definitions in § 21.1 to § 21.901
10 because they solely relate to education matters.

11 Ms. Pachter Schulder referred to standards in §
12 21.915, specifically subsection (a) which requires
13 programs to achieve the minimum pass rate and the
14 definitions of "minimum pass rate" and "examination
15 year" in § 21.901. She noted the examination year for
16 CRNP would be June 1 through May 31, while the
17 examination year for pre-licensure programs would
18 remain as October 1 through September 30. Adding a
19 minimum pass rate for CRNP programs would impose a
20 similar requirement on all programs. She noted that
21 because CRNP programs are divided by specialty, the
22 minimum pass rate would be based on the annual
23 results on the certification examination. She noted §
24 21.915(a) delineates 12 program standards that are
25 based on more specific provisions. For example, §

1 21.915(a)(2) addresses programmatic and controlling
2 institution accreditation/authority to operate
3 addressed more fully in § 21.916.

4 Ms. Pachter Schulder noted that § 21.916(a)
5 applies to existing nursing education programs and
6 requires that all pre-licensure programs obtain
7 programmatic accreditation within 5 years. Currently
8 all RN programs and all the CRNP programs hold that
9 accreditation and more than 54 percent of PN programs
10 hold programmatic accreditation. She addressed
11 subsection (b) regarding new programs and includes
12 the same five-year timeframe. Ms. Pachter Schulder
13 referenced ancillary provisions in §§ 21.921(b)(15)
14 regarding documentation from the accreditor
15 evidencing the submission of a candidacy application
16 for programmatic accreditation, 21.915(a)(2) and
17 21.916(d) regarding mandatory removal of the Board's
18 approval where a program is denied or fails to
19 maintain programmatic accreditation.

20 Ms. Pachter Schulder noted the standard in §
21 21.915(a)(3) that requires programs to be housed
22 within controlling institutions that are authorized
23 to provide nursing education in PA. Ancillary
24 provisions include the definition of controlling
25 institution for each program type in §§ 21.901 and

1 21.921(b)(14) as discussed last meeting, which
2 enables PN programs such as private licensed schools
3 to be authorized by the Pennsylvania Department of
4 Education rather than be accredited.

5 Ms. Pachter Schulder addressed the requirements
6 of having a systematic evaluation plan and
7 remediating identified deficiencies in Paragraph (4),
8 ensuring that both their didactic and their clinical
9 education are taught according to evidence-based
10 practice in Paragraph (5) dovetailing with §
11 21.941(b), enforcing written policy requirements in §
12 21.915(a)(6) and ensuring faculty maintain current
13 competency in the areas in which they teach
14 dovetailing with §§ 21.934(a)(1)(iii), (2)(iii) and
15 (3)(iii) and (d) and 21.936(b), relating to faculty and staff
16 qualifications and responsibilities.

17 Ms. Pachter Schulder addressed Paragraph (8)
18 which requires programs to ensure that faculty,
19 facilities, and clinical agencies are sufficient to
20 meets the needs of students enrolled. She noted that
21 as of June 30, 2023, there were 89 RN programs, 57 PN
22 programs, and 115 CRNP programs housed in 31 colleges
23 and universities. She explained that in addition to an
24 advanced practice core, CRNP education includes population
25 focused competencies in six particular clinical specialty

1 areas based upon NCSBN's Consensus Model. The Board
2 discussed that subspecialties are approved by their
3 broader populations. She suggested the Board discuss
4 subspecialties such as Emergency, which is part of
5 the Family Across the Lifespan population, at a later
6 date and whether certifications should be by
7 subspecialties. The initial consensus was to
8 continue licensing by population specialty and not
9 subspecialty.

10 Ms. Pachter Schulder noted Pennsylvania has
11 almost 7,000 faculty members in RN/PN programs and
12 over 30,000 students. She also noted CRNP programs
13 as of January 1 have 816 faculty members and almost
14 7,000 students. She mentioned the importance of
15 programs having faculty, facilities, and the clinical
16 agencies, along with maintaining and monitoring pass
17 rates.

18 Ms. Pachter Schulder addressed the standards in
19 21.915(a)(11), the requirement to provide timely
20 notifications of the program changes, Paragraph (12)
21 requiring compliance with the regulations, and
22 subsection (b)(1) which continues the prohibition
23 against programs utilizing students to meet the
24 staffing needs of health care facilities. She
25 addressed paragraph (2) requiring

1 preapproval from the Board for having more than two
2 administrators within an academic year unless there
3 is an absolute emergency. She mentioned that
4 administrator turnover was a key factor identified in
5 program performance. She discussed violating Board
6 regulations on standards of care and the addition for
7 a program not engaging in fraud, deceit, advertising,
8 promotion, or influence in Paragraph (3) dovetailing
9 with the standards and prohibitions for RNs in § 21.18
10 and PNs in § 21.148.

11 Ms. Pachter Schulder referred to § 21.921
12 regarding establishment and what people need in order
13 to establish new programs, which tracks many of the
14 provisions in current §§ 21.51 and 21.172, noting the
15 addition of 14 and 15, previously discussed,
16 pertaining to controlling institutions and
17 accreditation. She noted the deans asked that the
18 Board not include geographic location need in §
19 21.921(b)(1), currently required, because students in
20 these programs come from everywhere, which was
21 removed by the Board.

22 Ms. Pachter Schulder addressed letters of
23 commitment from the controlling institutions,
24 identification of the type of program, the number of
25 students that are anticipated for the five years,

1 clinical resources, and student to faculty ratio
2 required by § 21.921(b)(2). She noted the reduction
3 in the timeframe that programs must send proposals to
4 the Board from 15 months, previously discussed, to 12
5 months in § 21.921(b) and the expansion of the time to
6 hire an administrator or faculty in subsection (c).
7 She discussed the requirement to provide
8 organizational charts with the proposal in subsection
9 (b)(5) so the Board can see where the program fits
10 within the controlling institution.

11 Ms. Pachter Schulder addressed the congruence of
12 the program's mission goals and learning outcomes in §
13 21.921(b)(7). She referred to a comment asking why
14 the Board requires this congruence as it stymies
15 creativity by programs. She explained that this
16 information is critical because it is the controlling
17 institution that ultimately confers the degree,
18 certificate or diploma, not from the nursing program.

19 Ms. Pachter Schulder referred to a question
20 asking why the Board has to approve clinical agencies
21 in 21.924 and provide information about these
22 agencies in §§ 21.915(b)(8) and 21.923(f), noting the
23 Board must ensure that clinical agencies have a
24 sufficient census for the number of students in the
25 program and ensure the correct balance of didactic

1 and clinical experiences.

2 Ms. Pachter Schulder addressed the hiring of the
3 administrator, which is at least six months, and
4 faculty, one term prior to commencement of the class,
5 in § 21.921(b) and asked the Board for its opinion
6 about when the period starts. The Board discussed
7 the distinction between "the first intended admission
8 of students" and the "first advertisement of intent
9 to establish a program." Ms. Pachter Schulder
10 questioned whether "the first advertisement of intent
11 to establish a program" is an email to the students
12 who are currently in programs or prior graduates who
13 expressed previous interest or whether there are
14 actual advertisements. The Board decided to set the
15 trigger as "the first advertisement of a new program"
16 when there are actual advertisements. She noted that
17 once the vote occurs, the program may advertise and
18 recruit students but not admit them.

19 Ms. Pachter Schulder referred to § 21.921(e)
20 about the timing of the facility review. She
21 reminded the Board of a previous discussion about
22 whether it should occur when the proposal is
23 submitted or following the vote to approve an RN or a
24 PN Program. The Board decided to conduct the review
25 after the Board votes to approve since the review is

1 to confirm the information within the proposal and
2 already will have received sketches or pictures of
3 the facility.

4 Ms. Pachter Schulder noted once the Board votes
5 to approve CRNP programs, they go directly to full
6 approval status without a facility review. She
7 explained that they do not need a facility review,
8 even though colleges and universities at the RN/PN
9 level need a facility review, because all the CRNP
10 programs have a prelicensure program, so they already
11 underwent a facility review. She noted the
12 organizational requirements and additional
13 establishment provisions in §§ 21.922 and 21.923 track
14 current regulations.

15 Ms. Pachter Schulder addressed § 21.914,
16 discontinuance of program and interruption of
17 program. She stated when a program approval is
18 removed or when there is a decision to close, the
19 program has to submit a program completion plan under
20 subsection (a) and under subsection (b) a Program
21 Closing Summary, within three months of that
22 notification, that contains the items in subsection
23 (b)(1)(i)-(xix). Programs are also required to have a
24 plan for current students, need to notify students of
25 the plan, and make arrangements for a permanent

1 retention of students' records.

2 Ms. Pachter Schulder reported no additional
3 changes were made to § 21.917, relating to minimum
4 student program requirements including completion of
5 math and physical science courses in order to
6 commence a program and a license or temporary
7 practice permit to be admitted into a CRNP program,
8 since the last draft was discussed. She recommended
9 that subsection (a)(2) be amended to include "a
10 privilege to practice" to cover multistate licensees.
11 She explained that under the NLC, a multistate
12 licensee will be able to practice in Pennsylvania
13 under a Compact privilege and that they are not going
14 to have a license in Pennsylvania but would have a
15 privilege or authorization to practice by way of that
16 privilege. She recommended adding this modifying
17 language throughout the regulation package where only
18 a license is referenced.

19 She noted in § 21.917(b) that the number and size
20 of admissions should be determined by the
21 educational, clinical, facility and financial
22 resources unless a program has been placed on
23 provisional status and is restricted from making
24 these determinations as outlines in § 21.912(c).

25 Ms. Pachter Schulder addressed § 21.941, noting

1 this provision addresses general curriculum
2 requirements for RN/PN and CRNP programs. She stated
3 that the Advisors diligently reviewed the national
4 nursing education standards as established by the American
5 Association of Colleges of Nursing, National League of
6 Nursing, the National Council of State Boards of Nursing's
7 Model Acts and Rules, and the National Council's Licensure
8 Examination RN and PN Practice Analyses and Test Plans and
9 Quality and Safety Education for Nurses Competencies. She
10 noted that any change to §§ 21.941-21.944 is just to
11 address those national standards.

12 Ms. Pachter Schulder referred § 21.945 regarding
13 clinical experience. She noted that there are no
14 additional changes since the last review to the RN/PN
15 provisions but recommends a change for CRNP programs
16 in § 21.945(f)(1) based upon the National Task Force
17 (NTF) standards that require 750 hours in direct
18 patient care. She noted it should not be a hardship
19 for the Board's regulation increasing from 500 to 750
20 because all of the programs hold programmatic
21 accreditation, and this is one of those standards.

22 In addition to the change in the clinical
23 experience hours, the NTF standards of CRNP faculty
24 has also been incorporated into § 21.932(b)(2)(i).
25 That standard changes the teacher-to-staff ratio from

1 1:6 to 1:8. There is no change to the ratio for RN/PN
2 programs. She noted that these provisions provide
3 for a tradeoff in terms of additional burden.

4 Dr. Hunsberger expressed concern with sending
5 students to other places, where students would only
6 receive 50 percent of medical-surgical experience.
7 Ms. Wendy Miller commented that it is in the
8 regulations that allow them to make that
9 determination because a 1:15 ratio may not always be
10 appropriate. She noted the importance of looking at
11 clinical facilities and looking at their outcomes and
12 the faculty-to-student ratio to determine if the
13 course objectives and ultimately end of program
14 objectives can be met.

15 Sue Petula, PhD, MSN, RN, NEA-BC, FRE, Nursing
16 Education Advisor, explained that the decision where
17 to send students is based upon the agreement between
18 the program and the clinical agency, and if the
19 clinical agency is approved, then it is probably
20 based on the discretion of the faculty as well as the
21 administration of that facility to decide safe
22 staffing ratios and clinical ratios for students.

23 Ms. Wendy Miller commented that the facility is
24 responsible for that patient and also has to set up
25 their parameters for what they would accept in order

1 to allow a clinical group there. She noted the Board
2 does not want to give a number that may or may not
3 fit a program's situation, but the program must still
4 do their due diligence with the clinical agency to
5 decide how student and patient needs are being met.

6 Dr. Petula further added that the Board looks at
7 whether the placements conflict with other programs
8 that may have students there simultaneously. It is
9 reviewed by the Board when a clinical agency form is
10 submitted, and the Board looks to the administrator
11 or clinical coordinator regarding the conflict and
12 appropriate placement questions. She stated there is
13 a responsibility that rests with the program in
14 addition to the agency, but the Board made a decision
15 previously that it did not want to be restrictive.

16 Chair Kmetz noted having served on NCSBN's Model
17 Act & Rules Committee, and the Committee did not put
18 a ratio in there when they rewrote the Model Rules,
19 so there is nothing at the national level.

20 Ms. Pachter Schulder addressed changes to nursing
21 education programs in § 21.925. She stated that
22 under subsection (a), the Board has to be notified
23 within 30 days prior of any change to the name of the
24 program, change of the accrediting body, controlling
25 institution's authority to operate, discontinuance of

1 the program, and faculty turnover of more than 25
2 percent.

3 Ms. Pachter Schulder also addressed things that
4 require preapproval in subsection (b), noting
5 preapproval for course content is only required if
6 required by § 21.946. She mentioned that
7 notification about changes to ownership or
8 administrative structure and changes in
9 administration status were originally only going to
10 be required for programs on provisional status, but
11 it is now recommended that those also require
12 preapproval. She explained that the Board needs to
13 know an accreditation status change that goes to
14 provisional, revoked, or removed. She explained that
15 if a program is on provisional status with the Board,
16 that program could be on provisional with the
17 accreditor, and the accreditor may take an additional
18 action, as has occurred with a program recently, that
19 the Board should be apprised of.

20 Ms. Pachter Schulder stated whether a program
21 would need to submit a new proposal as a result of
22 the changes is governed by subsections (e), (f) and
23 (g). The addition of a program with a different
24 scope of practice requires the submission of a new
25 proposal; however, the addition of degree types or

1 certification specialties would require submission of
2 a new proposal; however, the documentation required
3 would be limited where the previously submitted
4 documentation still applies.

5 Ms. Pachter Schulder addressed curriculum content
6 changes in § 21.946, noting that the Board was asked
7 by stakeholders why curriculum changes have to be
8 submitted and preapproved by the Board. They
9 suggested that programs be able to submit the changes
10 to the Board and be allowed to put the changes into
11 place before the Board's approval, but if the Board
12 then finds something wrong with that curriculum, then
13 before the next academic year it gets changed.

14 Ms. Pachter Schulder referred to § 21.946(b),
15 where the Board decided that a nursing education
16 program that meets all of the following requirements
17 can implement the curriculum changes prior to Board
18 approval but must present the changes to the Board 90
19 days in advance: the program has to be on full
20 approval status as defined in § 21.901, hold
21 programmatic accreditation pursuant to § 21.916(e),
22 have active faculty organization pursuant to §
23 21.923(g), and an institutional review committee that
24 reviews program curriculum recommendations and
25 actively engages in a review of a systematic

1 evaluation plan specified in § 21.981(b).

2 Ms. Pachter Schulder noted that the Board did not
3 agree with stakeholders that the review of curriculum
4 by the institutional curriculum review committee is
5 sufficient because the Board makes curricular
6 determinations, and not all institutional committees
7 have the same depth of knowledge about a specific
8 curriculum.

9 Ms. Pachter Schulder referred to § 21.934, which
10 requires that interprofessional faculty members only
11 teach clinical courses within their area of
12 expertise. She noted prior Board discussion of tying
13 clinical interprofessional faculty to the students'
14 scope of practice and asked how that can be
15 accomplished. She noted that under subsection (d),
16 interprofessional faculty shall only teach
17 nonclinical nursing courses within their scope of
18 expertise.

19 Dr. Kmetz noted the curriculum determines what is
20 in that course, not the interprofessional faculty
21 person, so whatever they are teaching, they have a
22 curriculum that they have to teach. She recommended
23 that the Board not tie the specialized instruction to
24 scope of practice because someone teaching the
25 content in a nonclinical course has to be an expert

1 in that content.

2 Ms. Wendy Miller concurred, expressing that she
3 did not think interprofessional faculty members are
4 going to talk about the scope of students' practice,
5 and, instead, the nursing faculty would be
6 responsible to make limits clear.

7 Ms. Pachter Schulder referred to § 21.911(d)
8 regarding the requirement that full approval is
9 required to add practice locations, curriculum plans
10 of study, delivery methods, cohorts or program
11 options, enrollment increases, and specialties or
12 degrees. She asked whether the Board wanted to add
13 the clause, "unless provided specific approval by the
14 Board" to cover special exceptions. She mentioned
15 that at last month's meeting a program asked to
16 eliminate its summer break. The Board permitted this
17 change but only after the program made a presentation
18 to the Board because the program was on provisional
19 status. She asked whether the Board wanted to give
20 themselves wiggle room. She noted the prohibition is
21 generally there, where the Program is going to have
22 to meet the bar and have specific approval, but as a
23 general rule, the programs are not going to be able
24 to do that. The Board concurred.

25 Ms. Pachter Schulder addressed § 21.912, noting a

1 list of Board restrictions on programs placed on
2 provisional status and asked whether there were other
3 Board restrictions. She also asked whether there
4 should be a maximum time that a program can be on
5 provisional status under (d).

6 Mr. Rawdin noted most states give the Boards the
7 discretion to make that determination.

8 Ms. Wendy Miller stated the main positive is
9 tying the length of time the Board expects
10 improvement to the length of the program. She noted
11 that a 12-month PN program may be able to have a
12 total curriculum overhaul that produces a difference
13 in a year's period of time, whereas a 4-year BSN
14 program would take 4 years.]

15 DR. KMETZ:

16 Is there a motion to adopt 16A-5141 in
17 the proposed form?

18 MS. MALADY:

19 So moved.

20 DR. COUGHLIN:

21 Second.

22 CHAIR KMETZ:

23 All those in favor? Opposed?

24 Abstentions?

25 [The motion carried unanimously.]

1 ***

2 [The Board asked whether any member of the public
3 desired to address the Board. No one did so.]

4 ***

5 [Pursuant to Section 708(a)(5) of the Sunshine Act,
6 at 12:17 p.m., the Board entered into Executive
7 Session with Judith Pachter Schulder, Esquire, Board
8 Counsel; Carole Clarke Smith, Esquire, Senior Board
9 Counsel; Ariel E. O'Malley, Esquire, Board Counsel;
10 Todd P. Kriner, Esquire, Board Counsel; and Megan E.
11 Castor, Esquire, Board Counsel, for the purpose of
12 conducting quasi-judicial deliberations on the
13 matters on the agenda under the Report of Board
14 Counsel, Report of Prosecutorial Division, and
15 Appointments. The Board returned to Open Session at
16 1:33 p.m.]

17 ***

18 MOTIONS

19 MS. PACHTER SCHULDER:

20 During Executive Session, the Board
21 engaged in quasi-judicial deliberations
22 on the matters listed under the Report
23 of Board Counsel, Report of the
24 Prosecutorial Division, and
25 Appointments.

1 Board members who recuse themselves
2 from participating in the matter will
3 be identified with each particular
4 motion.

5 Is there a motion to adopt the VRP
6 Consent Agreement items 2 through 12?

7

8 MS. HERTZLER:

9 So moved.

10 DR. COUGHLIN:

11 Second.

12 CHAIR KMETZ:

13 All those in favor? Opposed?

14 Abstentions?

15 [The motion carried unanimously.]

16

17 MS. PACHTER SCHULDER:

18 Is there a motion to approve the
19 following Consent Agreements at Case
20 No. 22-51-008061, Case No. 22-51-
21 018340, Case No. 21-51-017575, Case No.
22 23-51-008724, Case No. 23-51-006865,
23 Case No. 23-51-004132, Case No. 23-51-
24 005153, and Case No. 23-51-006579?

25 DR. COUGHLIN:

1 So moved.

2 DR. HUNSBERGER:

3 Second.

4 CHAIR KMETZ:

5 All those in favor? Opposed?

6 Abstentions?

7 [The motion carried unanimously. The Respondent's
8 name at Case No. 22-51-008061 is Timothy Clark, CRNP,
9 RN; Case No. 22-51-018340, Heather Irene Pressdee,
10 RN; Case No. 21-51-017575, Kari A. Halaut, CRNP, RN;
11 Case No. 23-51-008724, Aeryn A. Bueno, RN; Case No.
12 23-51-006865, Carole Renee Herzmann, RN; Case No. 23-
13 51-004132, Stephen Joseph Vincent, LPN; Case No. 23-
14 51-005153, Joseph Michael Brookes, RN, and Case No.
15 23-51-006579, Christopher Melgarejo Mendoza, RN]

16 ***

17 MS. PACHTER SCHULDER:

18 Is there a motion to adopt the Consent
19 Agreement at Case No. 22-51-000405, for
20 which members Hertzler, Kerns, and
21 Hunsberger are recused?

22 DR. COUGHLIN:

23 So moved.

24 DR. BUCHER:

25 Second.

1 CHAIR KMETZ:

2 All those in favor? Opposed?

3 Abstentions?

4 [The motion carried. Members Hertzler, Kerns, and
5 Hunsberger recused themselves from deliberations and
6 voting on the motion. The Respondent's name is Tracy
7 B. Hamilton, RN]

8 ***

9 MS. PACHTER SCHULDER:

10 Is there a motion to deny on the
11 grounds that is too lenient at Case No.
12 22-51-012630?

13 DR. COUGHLIN:

14 So moved.

15 DR. HUNSBERGER:

16 Second.

17 CHAIR KMETZ:

18 All those in favor? Opposed?

19 Abstentions?

20 [The motion carried unanimously.]

21 ***

22 MS. PACHTER SCHULDER:

23 Is there a motion to deny the Request
24 for Modification in the matter of
25 Glecina Bethea-Tumaini, RN, Case No.

1 11-51-03534, and Case No. 22-51-011915?

2 DR. COUGHLIN:

3 So moved.

4 DR. HUNSBERGER:

5 Second.

6 CHAIR KMETZ:

7 All those in favor? Opposed?

8 Abstentions?

9 [The motion carried unanimously.]

10 ***

11 MS. PACHTER SCHULDER:

12 Is there a motion to deny the
13 Application for Extension of a
14 Temporary Practice Permit for Shantay
15 Hodges, Application No. AA0004772473?

16 DR. COUGHLIN:

17 So moved.

18 DR. HUNSBERGER:

19 Second.

20 CHAIR KMETZ:

21 All those in favor? Opposed?

22 Abstentions?

23 [The motion carried unanimously.]

24 ***

25 MS. PACHTER SCHULDER:

1 Is there a motion to enter default,
2 deem facts admitted, and authorize
3 Counsel to prepare Adjudications and
4 Orders in the matters of Garry Roger
5 Dormevil, RN, Case No. 21-51-020242;
6 Danielle Mertz, RN, Case No. 20-51-
7 010662; and Anthony M. Hinson, RN, Case
8 No. 21-51-018839?

9 DR. COUGHLIN:

10 So moved.

11 MS. HERTZLER:

12 Second.

13 CHAIR KMETZ:

14 All those in favor? Opposed?

15 Abstentions?

16 [The motion carried unanimously.]

17 ***

18 MS. PACHTER SCHULDER:

19 Is there a motion to enter default,
20 deem facts admitted, and authorize
21 Counsel to prepare an Adjudication and
22 Order in the matter of Shawn Dale
23 Kennedy, RN, Case No. 22-51-013673, for
24 which members Hertzler and Hunsberger
25 are recused?

1 DR. COUGHLIN:

2 So moved.

3 DR. BUCHER:

4 Second.

5 CHAIR KMETZ:

6 All those in favor? Opposed?

7 Abstentions?

8 [The motion carried. Members Hertzler and Hunsberger
9 recused themselves from deliberations and voting on
10 the motion.]

11 ***

12 MS. PACHTER SCHULDER:

13 Is there a motion to authorize Counsel
14 to prepare an Adjudication and Order in
15 the matter of Daphne Darlene Mumma,
16 LPN, Case No. 20-51-008586?

17 DR. COUGHLIN:

18 So moved.

19 DR. BUCHER:

20 Second.

21 CHAIR KMETZ:

22 All those in favor? Opposed?

23 Abstentions?

24 [The motion carried unanimously.]

25 ***

1 So moved.

2 DR. HUNSBERGER:

3 Second.

4 CHAIR KMETZ:

5 All those in favor? Opposed?

6 Abstentions?

7 [The motion carried unanimously.]

8 ***

9 MS. PACHTER SCHULDER:

10 Is there a motion to authorize Counsel
11 to prepare an Adjudication and Order in
12 the matter of Mary Ellen Volb, RN, Case
13 No. 21-51-004157, for which member
14 Hertzler is recused?

15 DR. COUGHLIN:

16 So moved.

17 DR. HUNSBERGER:

18 Second.

19 CHAIR KMETZ:

20 All those in favor? Opposed?

21 Abstentions?

22 [The motion carried. Member Hertzler recused herself
23 from deliberations and voting on the motion.]

24 ***

25 MS. PACHTER SCHULDER:

1 Is there a motion to adopt the
2 following Draft Adjudications and
3 Orders, for which members Hertzler and
4 Kerns are recused: Keith Anderson,
5 LPN, Case No. 21-51-002412; Barbara
6 McGrenra Doerr, RN, Case No. 21-51-
7 003258; James Weldon Johnson, RN, Case
8 No. 21-51-001317; Devon Strubert, RN,
9 Case No. 21-51-006269; Nancy Russell,
10 RN, Case No. 21-51-006758; and Christa
11 Sutton, LPN, Case No. 21-51-009119?

12 DR. COUGHLIN:

13 So moved.

14 DR. HUNSBERGER:

15 Second.

16 CHAIR KMETZ:

17 All those in favor? Opposed?

18 Abstentions?

19 [The motion carried. Members Hertzler and Kerns
20 recused themselves from deliberations and voting on
21 the motion.]

22 ***

23 MS. PACHTER SCHULDER:

24 Is there a motion to grant the
25 following Draft Adjudications and

1 Orders, for which members Hertzler,
2 Kerns, and Hunsberger are recused:
3 Cheryl Lee Kirschler, RN, Case No. 21-
4 51-019220, and Gloria Asantewah Sasu,
5 LPN, Case No. 21-51-003170?

6 DR. COUGHLIN:

7 So moved.

8 DR. BUCHER:

9 Second.

10 CHAIR KMETZ:

11 All those in favor? Opposed?

12 Abstentions?

13 [The motion carried. Members Hertzler, Kerns, and
14 Hunsberger recused themselves from deliberations and
15 voting on the motion.]

16 ***

17 MS. PACHTER SCHULDER:

18 Is there a motion to adopt the
19 following Draft Adjudications and
20 Orders, for which there are no
21 recusals: Rhonda Lee Clark, LPN, Case
22 No. 21-51-001157; Kellie Ann Davis, RN,
23 Case No. 19-51-001470; Michele
24 Elizabeth Dedeo, RN, Case No. 22-51-
25 017440; Michelle Kelhart, RN, Case No.

1 19-51-009474; Chavon M. Pope-Ocasio,
2 LPN, Case No. 20-51-003219; Kizito
3 Saah, RN, Case No. 21-51-009705; Carmen
4 C. Walton, RN, LPN, Case No. 21-51-
5 015996?

6 DR. COUGHLIN:

7 So moved.

8 DR. HUNSBERGER:

9 Second.

10 CHAIR KMETZ:

11 All those in favor? Opposed?

12 Abstentions?

13 [The motion carried unanimously.]

14 ***

15 MS. PACHTER SCHULDER:

16 Camica Serina Rose, LPN, Case No. 20-
17 51-007431 has been withdrawn.

18 ***

19 MS. PACHTER SCHULDER:

20 Is there a motion to grant Immaculata
21 University's Proposal for Establishment
22 of the Master of Science in Nursing
23 Family (Individual Across the Lifespan)
24 and Post-Master's Family (Individual
25 Across the Lifespan) Nurse Practitioner

1 Certificate?

2 DR. COUGHLIN:

3 So moved.

4 DR. HUNSBERGER:

5 Second.

6 CHAIR KMETZ:

7 All those in favor? Opposed?

8 Abstentions?

9 [The motion carried unanimously.]

10 ***

11 MS. PACHTER SCHULDER:

12 Is there a motion to extend Provisional
13 Status until the end of the examination
14 year for Joseph F. McCloskey School of
15 Nursing and Fayette County Career &
16 Technical Institute?

17 DR. COUGHLIN:

18 So moved.

19 DR. HUNSBERGER:

20 Second.

21 CHAIR KMETZ:

22 All those in favor? Opposed?

23 Abstentions?

24 [The motion carried unanimously.]

25 ***

1 [Linda L. Kmetz, PhD, RN, Chair, exited the meeting
2 at 1:37 p.m.]

3 ***

4 VICE CHAIR COUGHLIN ASSUMED THE CHAIR

5 ***

6 MS. PACHTER SCHULDER:

7 Is there a motion to grant Great Lakes
8 Institute of Technology an extension of
9 its Provisional Status until the end of
10 the examination period?

11 DR. HUNSBERGER:

12 So moved.

13 MS. MALADY:

14 Second.

15 VICE CHAIR COUGHLIN:

16 All those in favor? Opposed?

17 Abstentions?

18 [The motion carried unanimously.]

19 ***

20 MS. PACHTER SCHULDER:

21 As to the request of Great Lakes
22 Institute of Technology to be permitted
23 to have the non-bachelor level person
24 serve as the director of nursing, is
25 there a motion to deny that request and

1 to advise that an assistant director,
2 after there is a director of nursing in
3 place?

4 DR. HUNSBERGER:

5 So moved.

6 MS. HERTZLER:

7 Second.

8 VICE CHAIR COUGHLIN:

9 All those in favor? Opposed?

10 Abstentions?

11 [The motion carried unanimously.]

12 ***

13 [Linda L. Kmetz, PhD, RN, Chair, reentered the
14 meeting at 1:37 p.m.]

15 ***

16 CHAIR KMETZ RESUMED THE CHAIR

17 ***

18 MS. PACHTER SCHULDER:

19 Item 15. Is there a motion to deny the
20 Consent Agreement on the grounds that
21 it was too lenient at Case No. 21-51-
22 012630?

23 CHAIR KMETZ:

24 Do we have a motion?

25 DR. COUGHLIN:

1 So moved.

2 DR. HUNSBERGER:

3 Second.

4 CHAIR KMETZ:

5 All those in favor? Opposed?

6 Abstentions?

7 [The motion carried unanimously.]

8 ***

9 Adjournment

10 CHAIR KMETZ:

11 Could we have a motion to adjourn?

12 DR. COUGHLIN:

13 So moved.

14 DR. HUNSBERGER:

15 Second.

16 CHAIR KMETZ:

17 All those in favor?

18 [The motion carried unanimously.]

19 ***

20 [There being no further business, the State Board of
21 Nursing Meeting adjourned at 1:45 p.m.]

22 ***

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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.



Derek Richmond,
Minute Clerk
Sargent's Court Reporting
Service, Inc.

STATE BOARD OF NURSING
REFERENCE INDEX

July 20, 2023

	TIME	AGENDA
1		
2		
3		
4		
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8		
9	9:09	Official Call to Order
10		
11	9:09	Introduction of Board Members
12		
13	9:10	Introduction of Attendees
14		
15	9:18	Adoption of Agenda
16		
17	9:19	Report of Prosecutorial Division
18		
19	9:25	Appointment - Michael McDonald
20		
21	9:28	Appointment - Immaculata University
22		Proposal for Establishment of the
23		Master of Science in Nursing Family
24		(Individual Across the Lifespan) and
25		Post-Master's Family (Individual
26		Across the Lifespan) Nurse
27		Practitioner Certificate
28		
29	9:39	Regulation Update
30		
31	9:44	Pennsylvania Legislative Update
32		
33	9:50	Report of Board Chairperson
34		
35	9:52	Report of Acting Commissioner
36		
37	9:53	Report of Committees
38		
39	9:54	Report of Executive Secretary
40		
41	9:57	Appointment - Great Lakes Institute of
42		Technology
43		
44	10:06	Appointment - Joseph F. McCloskey School
45		of Nursing - Extension of Provisional
46		Status
47		
48	10:40	Appointment - Fayette County Career &
49		Technical Institute - Extension of
50		Provisional Status

STATE BOARD OF NURSING
REFERENCE INDEX
(cont.)
July 20, 2023

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TIME	AGENDA
10:53	Recess
11:02	Return to Open Session
11:02	New Business
11:03	Regulatory Committee Meeting
12:17	Executive Session
1:33	Return to Open Session
1:33	Motions
1:45	Adjournment