Nursing Care Quality Assurance Commission (NCQAC)
Friday, January 12, 2018
8:30 AM – 5:00 PM
Department of Health (DOH)
Point Plaza East, Room 152/153
310 Israel Road SE
Tumwater, WA 98501

This meeting was held by webinar.
To view the webinar recording, please click here:
https://attendee.gotowebinar.com/register/7768581101889235203

Commission Members:
Tracy Rude, LPN, Chair
Donna L. Poole MSN, ARNP, PMHCNS-BC, Vice-Chair
Lois Hoell, MS, MBA, RN, Secretary/Treasurer
Gerianne Babbo, EdD, RN
Mary Baroni, PhD, RN
Adam Canary, LPN
Jeannie Eylar, MSN, RN
Edie Higby, Public Member
Suellyn M. Masek, MSN, RN, CNOR
Helen Myrick, Public Member
Sharon Ness, RN
Tiffany Randich, LPN
Renee Ruiz, Public Member
Laurie Soine PhD, ARNP
Yvonne Strader, RN

Excused: Renee Ruiz, Public Member

Assistant Attorney General: Gail S. Yu, Assistant Attorney General

Staff:
Paula R. Meyer, MSN, RN, FRE, Executive Director
Kathy Anderson, Financial Manager
Amber Bielaski, Licensing Team Lead
Debbie Carlson, MSN, RN, Associate Director, Nursing Practice and Licensing
Teresa Corrado, LPN, Licensing Manager
Mary Dale, Discipline Manager
Kristen Durborough, Administrative Assistant 3
John Furman, PhD, MSN, CIC, COHN-S, Director, Washington Health Professional Services (WHPS)

Mary Sue Gorski, Nursing Advisor Research, Policy, and Advanced Practice
Karl Hoehn, Legal Manager
Grant Hulteen, Chief Investigator
Shana Johnny, Nurse Practice Consultant
Rozanne McCarty, Discipline and Investigations
Rachel Meade, Legal Assistant
Kathy Moisio, PhD, RN, Nursing Education Consultant
Anne Overby, Investigator
Mindy Schaffner, PhD, MSN-CNS, RN, Associate Director, Nursing Education and Research
Christian M. Sheehy, Administrative Assistant
Catherine Woodard, Associate Director, Discipline

For accurate minutes this meeting was digitally recorded. All recordings are public record. The minutes of this meeting will be posted on our website after they have been approved at the March 9, 2018 NCQAC meeting. For a copy of the actual recording, please contact the Public Disclosure Records Center (PDRC) at PDRC@doh.wa.gov .

I. Opening – Tracy Rude, Chair – DISCUSSION/ACTION

II. Call to Order

A. Introductions
B. Order of the Agenda
C. Correspondence
D. Announcements Ms. Meyer made the following announcements:

1. Introduced Mr. Hulteen as Chief Investigator
2. Recognized retiring Ms. Overby
3. Announced the departure of Ms. Meade
4. Announced Ms. Bielaski's appointment to a new position within NCQAC
5. Announced Ms. Randich received her Registered Nursing license.
6. Announced Ms. Carlson as the associate director for Licensing.
7. Announced Ms. Gorski as staff for the Advanced Practice Sub-Committee
8. Announced the retirement of Shannon "Sam" Marshall as the Deputy Assistant Secretary, Health Systems Quality Assurance (HSQA)
9. Introduced Ms. Durborough as Administrative Assistant 3 working with the practice and advanced practice sub-committees
10. NCQAC wished Ms. Meyer a happy birthday

III. Consent Agenda – DISCUSSION/ACTION

A. Approval of Minutes

1. NCQAC Business Meeting
   November 17, 2017
2. Advanced Practice Sub-committee
   November 15, 2017
3. Discipline Sub-committee
   September 26, 2017
4. Licensing Sub-Committee
   October 27, 2017

B. Out-of-State Travel Reports

1. 2017 Association for Medical Education and Research in Substance Abuse (AMERSA) Conference; November 2-4, 2017, Washington, DC; Melissa Fraser.
2. Student Max Connections Annual Conference, Portland Oregon, October 20, 2017: Dr. Mindy Schaffner.

MOTION: Dr. Baroni moved to remove the November 17, 2017 Business Meeting minutes from consent agenda for corrections with a second from Ms. Poole. Motion carried. NCQAC accepted corrections to the November Business Meeting minutes.

MOTION: Ms. Poole moved to approve the revised November Business Meeting minutes with the remaining items on the consent agenda with a second from Ms. Randich. Motion carried.

IV. NCQAC Panel Decisions – DISCUSSION

The NCQAC delegates the authority as provided by law for certain decisions to a panel of at least three members. A member of the NCQAC must chair panels. Pro tem members of NCQAC may serve as panel members. The following reports provided information about the panels.

A. Nursing Program Approval Panel (NPAP)- November 1, 2017- December 31, 2017

B. Nursing Assistant Program Approval Panel (NAPAP)- November 1, 2017- December 30, 2017

No discussion

V. Chair Report – Tracy Rude – DISCUSSION/ACTION

A. December 4 HELMS/ORBS Databases meeting with Dr. Weisman, Jessica Todorovich, Kristin Peterson, Sam Marshall

Ms. Meyer reviewed the meeting with Dr. John Wiesman, Secretary of the Department of Health. Topics discussed at previous meetings included revision of the operating agreement and the possibility of mediation. The NCQAC delegated this work to the officers between business meetings. The officers continue to discuss a replacement for the aging ILRS database.

B. ESHB 1427 Rules Report

Ms. Poole discussed recent task force meetings to implement legislation on prescribing opioids. The Opioid task force includes the NCQAC, Medical Commission, Osteopathic Board, and the Podiatry Board. Ms. Poole recommends a second ARNP to assist in finalizing draft rules. Ms. Poole thought a consensus on the prescribing limits and accessing the Prescription Monitoring Program is near. Blake Maresh, Executive Director, Health Professions and Facilities, will draft the rules. The draft rules consider chronic pain patients and define limits to assist prescribers when prescribing opioids for patients. The Prescription Monitoring Program allows prescribers to check all prescriptions for all patients.

C. Nominating Committee report

Ms. Eylar discussed the nominating and election process for the officers: Chair, Vice Chair, and Secretary/Treasurer. Ms. Eylar, Ms. Masek, or Ms. Myrick will approach NCQAC Members and encourage candidacy for one of open positions. The nominating committee also recommends at least one staff member for the Annual National Council of State Boards of Nursing's (NCSBN) Awards. The staff member(s) who receive the award attend the NCSBN annual meeting held in August each year. The NCQAC may also nominate NCQAC members and staff for NCSBN awards.

VI. Executive Director Report – Paula Meyer – DISCUSSION/ACTION

A. Budget Report

Ms. Anderson discussed the October budget report, the first four months of the new biennium. The October report shows NCQAC underspent by 11 percent. The late passage of the 17-19 budget delayed a complete recording of the expenditure data. NCQAC revenue balance increased from 2.7 million to 3.4 million. This increase in revenue resulted from the July fee increase, high volume of applicants, and understated expenditures. The reserve should decline slightly over the next couple of months.

B. HSQA and NCQAC Performance Measures Report – Robert McLellan, Director, Customer Service Office, HSQA and Marc Defreyn, Director, Investigation & Inspection Office, HSQA

Mr. McClellan reviewed HSQA and NCQAC performance measures on intake, investigations, and case disposition over the last quarter and an analysis of the results.

C. Nursing and Nursing Assistants potential legislation- Dr. Joelle Fathi, Washington, DNP, RN, ARNP-BC, Director of Nursing Practice and Health Policy, Washington State Nurses Association (WSNA)

Dr. Fathi presented an appraisal of the nursing delegation statute and current nursing practice. With expansion of nursing responsibilities in health care, the need for nursing assistants grew to meet patient care. Factors in nursing delegation to nursing assistants include the potential of harm, stability of the patient, task complexity, outcome predictability, and meeting patient needs. Dr. Fathi recommended a streamline of the current statute. WSNA initially wanted to propose legislation in 2018 but additional stakeholder work identified more concerns. WSNA anticipates draft legislation in 2019.

D. Title VI Language Access Plan

Ms. Meyer discussed NCQAC's draft Language Access Plan for 2018. She outlined NCQAC's legal responsibilities to provide translated forms to the public. Staff will conduct an inventory of forms and identify risk, probability scenarios, and cost. Staff will present an updated plan to NCQAC at the July 13, 2018 Business Meeting.

E. Demographic Data

Ms. Meyer discussed the collection of Demographic Data information required with licensure applications and renewals. Staff sent post cards to all nurses with birthdays in January, February, and March to remind to them to provide the data.

VII. Sub-committee Report – DISCUSSION/ACTION

A. Advanced Practice – Laurie Soine, Chair

1. Acupuncture

a. Petition to write rules

b. Response

c. Advisory Opinion

Ms. Yu discussed NCQAC's response to deny the petition to write rules from the East Asian Medicine Advisory Committee (EAMAC).

B. Consistent Standards of Practice – Suellyn Masek, Chair

No discussion

C. Discipline – Adam Canary, Chair

1. WHPS Procedure Updates

Ms. Hoell withdrew WHPS Procedure updates from the agenda. Ms. Hoell explained the procedures need more work and are not ready for action. Ms. Hoell anticipated a presentation of the updated procedures at March 9, 2018 Business Meeting.

2. Case Management Team Changes

Mr. Canary discussed separating case management and case disposition meetings into two separate meetings. Dividing the meeting addresses the workload and length of the meeting. The workload for both increased and requires separate sessions.

D. Licensing – Jeannie Eylar, Chair

Ms. Eylar focused her report on two main points. First, how many times can a nurse fail the NCLEX test before they become ineligible? Can a nurse become ineligible for failed NCLEX tests? Second, the effectiveness in continued competency in assuring safe nursing practices. The sub-committee continues to deliberate and work these issues.

VIII. Education Session- Delegation Guidelines for Nursing Home Directors of Nursing , Dr. Elena O. Siegel, University of California-Davis, and Dr. Suzanne Sikma, University of Washington-Bothell.

Dr. Siegel and Dr. Sikma presented the outcomes of their NCSBN research project entitled "Delegation Guidelines for Nursing Home Directors of Nursing." The session included background on the regulations for nurse delegation in nursing homes in several states. The project included the development of a continuing education program for nursing home directors of nursing on delegation regulations. Finally, the select findings highlighted some of the challenges directors of nursing face in leading nursing practice in nursing homes.

IX. Open Microphone

John Mueller, a Division Director at Franciscan Health, discussed WAC 246-840-533 and the related draft Advisory Opinion. He stated the WAC was a flawed measure on student placement processes. The WAC placed undue burden on education and health care workers. He thought the draft Advisory Opinion addressed data collection more than explaining regulations. He requested NCQAC defer action on the draft Advisory Opinion and re-engage stakeholders to address those issues.

Yin Wang. A faculty member discussed how school required students receive a 1000 hours of acupuncture education and voiced concerns of 300 hours in acupuncture as insufficient.

Dr. Jianfeng Yang shared his observation as a member of the Board of Directors of Washington East Asian Medical Association (WEAMA). Mr. Yang received a Doctorate of Oriental Medicine and served as professor with 22 years of teaching medical doctors and acupuncturists. Dr. Yang stated 300 hours was insufficient training to perform acupuncture and a system of medicine requiring years of experience.

Kathleen Beaufait said as a trained acupuncturist and speech pathologist 300 hours of training is inadequate in order to diagnose and treat patients.

Curtis Eschels thought300 hours does not meet basic standard of care and respectfully disagrees with NCQAC's decision on acupuncture. Mr. Eschels suggests NCQAC rescind their previous decision.

Jamil Shoot said he had over 500 hours of training before he was permitted to sink a needle into the skin. Acupuncture requires extensive education and thinks 300 hours of training insufficient.

Various people attended the Open Microphone session but chose not to speak. Participants requested their opposition to the decision on acupuncture be recorded in the minutes: Jianjun Wang, Yajuan Wang, Chunlin Gao, Jing Gao, Xia Che, Bin Zhou, Stanley Chen, Tong Ning, Jialing Liu, Fengshan Zhu, Xuezhong Wang, Xuezhong Wang, Erkang Hu, Beijing Men, Dai Dong (Diane D. Hester), Ying Zhang, Yanfei Chen, Yufang Yu, Dingfang Yu, Xiaotong Wang, Yanmin Tan, Helen Wong, Haiming Shi, Xiaoping Li, Xiangyu Xiu, Xinli Du, Hongping Ren, Lee Huuang Liu, Holly Wang, Hongli Feng, Guojun Duan, and Xiapin Song.

X. Nursing in Long Term Care - Lauri St. Ours, Director of Governmental and Legislative Affairs, Washington Health Care Association, Alexis Wilson PhD, and Adam Canary, LPN, NCQAC LPN Member. DISCUSSION/ACTION

Mr. Canary, Dr. Wilson, and Ms. St. Ours discussed Long Term Care (LTC) providers, in skilled nursing facilities and assisted living communities, reported challenges with recruiting, and retaining certified nurses and nursing assistants. They discussed the pools of healthcare workers in long term care settings decreased to a critical point. The presentation provided an overview of current laws and regulations for nursing services in long term care settings. The presentation also outlined provider perspectives regarding the educational, regulatory, and legal challenges faced by this workforce and LTC employers. Ms. St., Ours discussed and highlighted potential points of interest and requested future NCQAC support.

XI. Washington Center for Nursing Report (WCN) – Sofia Aragon, Executive Director. DISCUSSION/ACTION

Ms. Aragon discussed the annual report from the WCN. RCW 18.79.202 allows the secretary of health to collect a $5 surcharge on the licensing fees to support a centralized nursing resource center. The law directing the grant was temporary and made permanent in 2013. Ms. Aragon provided a brief history of WCN with highlights and activities from the past year. The $5 charge allows WCN to evaluate the effectiveness of nursing education and the effectiveness of undervalued nurses. WCN supports the Healthier Washington Initiative project goals. WCN has a role in Action Now. WCN researches Nursing Faculty status, vacancies, and diversity in nursing programs and practice.

XII. Updating the chapter of law on Infectious Diseases – Tamara Jones, End AIDS Washington Policy & Systems Coordinator, Department of Health (DOH) - DISCUSSION/ACTION

Ms. Jones presented NCQAC with an update and review on proposed legislation to update the law, including the licensure requirement for all health professionals to receive education on HIV/AIDS. Ms. Jones also briefed NCQAC on the status of HIV/AIDS within the state of Washington and advances in treatment.

XIII. Washington Health Professional Services Annual Report – Dr. John Furman. DISCUSSION/ACTION

Presented at 10:20 AM. At each January meeting, NCQAC receives an annual report from the WHPS program. Dr. Furman discussed the requirements for nurses in the program. WHPS maintains a list of prohibited drugs for nurses in the WHPS program, even when these drugs are prescribed. He recommended a broader list of drugs for nurses enrolled in the program since some prescribed drugs still cause violations. Dr. Furman noted the definition of relapse varies from state to state. Because of the variation in definition, no national average exists. The age range of majority of nurses in the WHPS program ranges from 28 to 38 years old. Nurses in the program suffering from Post-Traumatic Stress Disorder (PTSD) increased.
Ms. Hoell requested action on the report be delayed until a future meeting.

XIV. Education Report DISCUSSION/ACTION

A. Katherine Hough, BSN, RN, University of Washington School of Nursing Doctorate of Practice Student

Ms. Hough presented the results of the continuing competency surveys. The surveys included nurses with disciplinary action, nurses audited for compliance with the continuing competency requirements, and a random sample of nurses not audited or disciplined. The survey results and the literature review did not produce evidence to positively support the use of either active practice or continuing education requirements. The members discussed the results of the surveys. NCQAC requested the licensing sub-committee evaluate the results and make recommendations to the NCQAC regarding the continuing competency program and requirements.

B. Advisory Opinion: Preceptor Experience in Nursing Education Programs – Dr. Mindy Schaffner

NCQAC considered an Advisory Opinion related to WAC 246-840-533(4)(a)(c)(d)(c) and WAC 246-840-533(5)(a)(c)(d)(e). Dr. Schaffner presented a petition to open WAC 246-840-533.

MOTION: Dr. Baroni moved to open WAC 246-840-533 as related to preceptors in clinical practice settings for nursing education programs located in Washington State with a second from Ms. Poole. Motion carried.

C. HEALWA Update – Dr. Mindy Schaffner

Dr. Schaffner introduced Christina Pryor, Assistant Director, HEAL-WA. Ms. Pryor reported the following:

i. 945 RNs and LPNs registered for HEALWA in 2017

ii. 167 attendees at the HEAL-WA webinars for nurses since April 2017

iii. 60 attendees at the HEAL-WA session this morning

iv. A survey sent out in late 2017 to gather feedback from the nursing community about ideal time of day for webinars. The survey received over 2,000 responses in an eight day period.

v. During the last year HEAL-WA promoted the program to nurses through articles in NCQAC Newsletters, DOH GovDelivery announcements, offering webinars, presenting and exhibiting at conferences on both sides of the state.

XV. Meeting Evaluation

Pros	Cons
Sharing Paula's birthday	Sound system
Information Packed	Sad Renee wasn't present
Loved the lunch	Plastic Knives
Staff Support	
Learned a lot	
Changes in computers to VPN	
Appreciates the hard work on the packet	
Cake	
Great presenters	
Katherine's Dashboard presentation	
WHPS Outcomes	
Advances in HIV/AIDS	
Org charts are great	

XVI. Meeting adjourned at 4:56 PM.

Tracy Rude, LPN
Chair

Lois Hoell, MS, MBA, RN
Secretary/Treasurer