

MINUTES OF MEETING

BOARD RETREAT – APRIL 17-18, 2024

The Ohio Board of Nursing Retreat was held on April 17-18, 2024, at the State Fire Marshal Auditorium, 8895 East Main Street, Reynoldsburg, Ohio. The President, Vice-President, Supervising Member and Executive Director reviewed the agenda prior to the meeting.

President Erin Keels called the meeting to order on Wednesday, April 17, 2024, at 8:30 a.m., and on Thursday at 9:00 a.m.

BOARD MEMBERS

Erin Keels, DNP, APRN-CNP, President

Donna Hanly, RN, Vice President

Candy Rinehart, DNP, APRN-CNP, Supervising Member for Disciplinary Matters

Brenton Temple, Consumer Member (Absent Wednesday)

Jenny Heiser, LPN

Tiffany Knepper, RN (Absent Wednesday and Thursday)

Shawn Livingston, LPN

Joseph Quackenbush, LPN

Teresa Remy, RN

Virinder Sidhu, RN

Barbara Wadsworth, RN (Absent after 1:00 p.m. on Wednesday; absent Thursday)

Scott Wesbecher, LPN

Gina Woods, RN

Unless noted in these minutes as exhibits, all written reports submitted to the Board are maintained in the Board office according to the Board record retention schedule.

WELCOME AND ANNOUNCEMENTS

President Erin Keels welcomed guests and staff and read the Board mission and vision statement. President Keels provided reflections and thoughts on the Board's progress and how the Board's work impacts licensees and certificate holders who in turn touch millions of people lives across the state of Ohio.

STRATEGIC PLAN

President Keels started with a brief review of the Strategic Plan and reviewed the five Foundational Principles: Education, Practice, Licensure, Compliance and Legislation, the work staff do every day. The Foundational Principles describe how we do the work every day, which includes staff being accountable, we have compassion, we care about others who we work with, we have integrity—doing the right thing even when no one is looking; we are collaborative, working well together inside the Board and outside the Board, we receive feedback, and

inclusion--including others. OBN strives to include others regardless that they may look, act or think differently than the Board. The core at the heart of everything is service, communication and people.

STRATEGIC PLAN - DEPARTMENT WORKFLOW/MEASUREMENTS

Director Anielski gave a brief overview and further explanation of what the different units will share today. The director shared a quote defining “*strategic leadership as the ability to anticipate and envision a future course of action and direction for the organization while motivating your team around a plan of action to achieve business results. (Peter Drucker)*” Each unit shared challenges and lessons learned.

- Workflow: Nick Siniff, Board hearing examiner at the Board presented Workflow. The workflow supports the strategic plan by holding each unit accountable to ensure the Board employs the most efficient processes possible. He reviewed the work to date since 2023 Retreat. He shared the successes and celebrations. The 2024 goals will continuous refinement of Board processes and other departments directly affecting the Board; continue to obtain input from Board employees and determine additional opportunities for areas of improvement.
- Communications: Dean Heid, Communications Officer. Communications is part of the foundation of the OBNS’s foundational principles. Communications are part of the bedrock that informs everything that we do. Communications supports the strategic plan by enhancing outreach inclusionary efforts through presentations social media, and website updates. Build better ways to communicate with internal and external partners; and collaborate with all departments on ways to efficiently streamline processes to optimize customer experience. Dean shared the work to date since the 2023 Retreat. He shared that outreach is helping to reduce the amount of customer calls and emails; streamlined the website; worked with NCSBN and over 90 nurses’ employers to implement the mandated out-of-state multi-state license reporting via Nursys.com-e-Notify system.
- Finance: Shannon Stallings, Fiscal Manager, shared how finance fulfills foundational principles, and how it supports the strategic plan. Shannon shared the 2024 goals, which include the FY23-24 biennial audit completion, and the wok to prepare the FY26-27 biennial budget; increase procurement through OhioBuys, modify background check form for electronic transmission and eliminate records storage warehouse.
- Hearing: Hearing Examiners Thomas Lininger and Amanda Scheeser presented the work the hearing unit, explaining that the hearing unit falls under the Compliance column of the foundational principles. They shared

how the hearing unit supports the strategic plan. Accountability ensures a fair hearing process and hold licensees/certificate holders to professional standards within their practice to protect the public. They shared the hearing unit's successes and celebrations, the goals for 2024 that include allocating 100 percent case amendment to internal Hearing Unit; reduce average time to complete the hearing process from 9 months to 6 months; and provide consistent recommendations to the Board. They shared challenges and lessons learned.

- Human Resources: Joseph Fanell, Human Resources Manager, acknowledged Shannon Stallings, who assist Mr. Fanell in the HR unit. Human Resources are service oriented, communication leaders, to the most valuable resource, the staff. HR is the foundation of OBN's Foundational Principles. Joey shared how HR supports the strategic plan. He reviewed HR's successes and celebrations. Mr. Fanell shared challenges and lessons learned.
- Legislation: Jack Brubaker, legislative liaison, shared a summary of all the legislative work completed last year. The Foundational Principle of legislation is to review standards and controls to govern OBN in the protection of all Ohioans. The standards and controls are found in the Ohio Revised Code 4723. He shared how legislation supports the strategic plan and reviewed the legislative work to date that included Sub H.B. 33 (biennial operating budget; the Doula statute, Nurse Education Grant Program, continued funding for Nurse Education Assistance Program, Center for CHW Excellence Board and budget approval; shared licensee information for legislator's constituent outreach letters and continuous communication with legislators and their aides. He reviewed legislative successes and celebrations, the 2024 goals, assisting Governor's office in finding board or commission oversight for Nurse Staffing Agencies.
- Licensure: Tracy Williams-Johnson, Licensure Manager shared continuous accountability in reducing overall processing times, increase customer and personnel communications by requesting eLicense enhancements and collaborate for workflow improvements. Shared goals over the next year, provided input to center for community health worker excellence board of directors.
- Monitoring: Lisa Ferguson-Ramos, Monitoring Manager introduced the Compliance applications team and the monitoring team. She reviewed the unit's work to date, identifying nurses at risk, i.e., mental health issues, stress, completed a team online training OPHP is handling another Board now and have a lot of people participating now.
- Rules: Anita DiPasquale reviewed how the rules fulfill foundation principle, and how rules support the strategic plan. Anita also provided visuals of the

laws and rules volumes and shared that the first issue of the Board quarterly publication, *Momentum* always summarizes rules up for 5-year review.

INNOVATION IN THE WORKFLOW

Peggy Benson, MSN, MSHA, NE-BC, Executive Officer, Alabama Board of Nursing joined the meeting virtually sharing information on scope of practice for certified nursing technicians. Ms. Benson reviewed apprenticeship competencies and goals for LPNs moving forward. From Ms. Benson's presentation she shared a list of steps the Board could do, i.e., adopt and revise rules providing standards including, but not limited to, scope of practice for certified nursing support technicians and the issuance of permits by the board to eligible applicants. For purposes of the rule chapter, a certified nursing support technician is an individual who has successfully completed a board-approved curriculum for performing supportive nursing services, or a comparable program in another state, and who has passed a board-approved examination and has been issued a permit pursuant to this chapter. Supportive nursing services do not require the exercise of nursing judgment. Nursing support technicians performs supportive nursing services under the supervision of a licensed nurse.

President Keels asked if competency would be in the colleges (no degree). Vice President Hanly inquired about how or by whom would develop the competencies. The Alabama State Board had staff on an advisory committee in developing competencies validation.

Action: Jack Brubaker, Legislative Liaison will review the workforce transformation and the options for apprenticeship for nursing students in Ohio and will present to the Board at the May 2024 meeting.

WORKFLOW

NCSBN Workforce Reports Summary

Dean Heid, Communications managers discussed psychological and practice evaluations, including the reasons to re-imagine discipline include nurses are reporting more mental health concerns. The 2022 NCSBN National Workforce Study – 53,000 nurses surveyed across 45 states; question as who shares accountability, the healthcare systems and/or Boards. It was stated that psychological evaluations can be used as a regulatory tool. According to the Americans Disabilities Acts, psychological evaluation is appropriate when there is reasonable belief a person may have a condition that could impair their ability to perform essential job functions; a person may pose a direct threat to the safety of the public.

Ohio RN and LPN Workforce Data Review

Lisa Emrich presented the Ohio RN and LPN workforce data review.

NCLEX Pass Rates

Lisa Emrich reviewed the recommended changes for progressive years of consecutive low NCLEX rates. Ms. Emrich review the 2024 goals, pre-license nursing education workshops;

quarterly state-wide calls to share identified regulatory issues; presentations at Nursing Education Associations per invitation; and the new administrator “onboarding” with Chapter 4723-5, OAC information.

APRN Compact Analysis

Lisa Emrich provided update on the APRN Compact. The APRN Compact allows advanced practitioners to become licensed in multiple states, and to practice in any state that is part of the Compact. The first APRN Compact bills were introduced in early 2021 and four states, Delaware, North Dakota, Utah and South Dakota have since enacted the APRN Compact. Six states are currently pending APRN compact legislation. Once a minimum of seven states have officially approved the Advanced Practice Registered Nurse Compact, it will become active.

COMPLIANCE

Tracy Nave, Principal Assistant Attorney General provided an overview of what happens when cases arrive at the Attorney General's office. She explained an administrative action which is defined in Chapter 119 of the ORC the administrative procedure; the regulatory functions of the Board; how the AAG office decides to bring an administrative action; what happens after investigatory process and citation issue, the Board votes to issue a citation. AAG Nave presented the steps involved before the hearing. She defined what is an administrative action, before the hearing, during the hearing and after the hearing, which involves the preparation of the Report and Recommendation, and the issuance of the Board Order. AAG Nave reviewed the steps in an appeal, the case goes to common pleas court, and then district court of appeals and may be to the Ohio Supreme Court.

Protocol Review

Lisa Eschbacher reviewed changes/edits to five compliance protocols: 1) new language regarding failure to perform CPR on a full-code patient; 2) new language regarding accessing medical records without medical/nursing care reason; 3) new language regarding falling asleep while on duty; 4) new language regarding Medicaid fraud stipulated and lesser conviction; and 5) Positive marijuana screen.

Action: Members want to review Protocols for decision making and future motions at the May meeting. Lisa Eschbacher will work on the protocols and present at the May meeting for Board approval.

Monitoring Protocol

Lisa Eschbacher discussed the early release terms in the protocol, and permanent practice restrictions protocol. Member Heiser wanted to know how early release applies when a licensee repeats offenses.

Trauma Informed Investigations

Attorney David Geiger provided review of trauma informed investigations. He provided definition of trauma informed investigation, how trauma affects nursing. The most common reasons for disciplinary action by Nursys.com and National Practitioners Data Bank. Mr. Geiger presented three components of a trauma-informed investigation and six principles of trauma-informed interview.

EDUCATION

Lisa Emrich, Program Manager, reviewed Ohio Revised Code 4723.06, ORC, Powers and Duties. The statute authorizes the Board to establish minimum standards. The Board may grant conditional approval (initial approval of a program, permit final approval or full approval. Full approval of a program could be up to five years or a probationary period, which grants time for program(s) to correct processes and/or make improvements. The Board cannot withdraw a full approval. Lisa explained when, why and how the Board would conduct a survey. She reviewed the minimum standards looked at during a survey, qualified administrators, faculty and teaching assistants, and preceptors. She discussed responsibilities of faculty teaching a nursing course,

BOARD GOVERNANCE

President Keels feels that the Board is moving in the right direction. Members also appreciate all the work and hopes that the Board can continue to move forward adding structure to help improvements performance.

EVALUATION OF RETREAT AND ADJOURNMENT

The meeting adjourned on Thursday, April 18, 2024, at 3:00 p.m.

Erin Keels, DNP, APRN-CNP
President

Erin L. Keels DNP, APRN-CNP

Attest:

Marlene Anielski, MBA, OCPM
Executive Director

Marlene Anielski, MBA, OCPM

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