



## Board of Nursing Public Meeting

Nursing Board

Feb 22, 2024, at 8:00 AM EST to Feb 22, 2024, at 4:00 PM EST

Attendance

### Members:

Samantha O'Neill (SO), Chair, Joni Menard (JM), Vice Chair, Michelle Melanson Schmitt (MMS), Matthew Kitsis (MK), Melissa Tuttle (MT), Maureen Murtagh (MM), Dwayne Thibeault (DT), Huyen (Lizzy) Fowler, (HF)

**Remote/Zoom:** Wendy S Jones (WSJ)

### Staff:

Michael Gianunzio, Board Administrator, Terese Barton, Board Administrator, Rahkiya Medley, Esq. Board Counsel, Elizabeth Eaton, Esq. Board Counsel

### Absent:

Jennifer Thibeault (JT) and Heather Pearl (HP), Melissa Underhill (MU)

## I. Call to Order

The meeting was called to order and convened at 8:04 am by Samantha O'Neill, Chair, with quorum present.

### Motion:

Upon a motion by DT and seconded by MU, the Board moved to allow remote participation of WSJ due to medical reasons, unanimous roll call vote.

## II. Approval of Minutes

### A. Board of Nursing public meeting minutes from 1/25/2021

1. Correct spelling of Sam's name
2. Non-public B – responses received typo after a vote with DT.
3. A-2 – typo, hearing typo
4. End of public – last motion should be MT instead of MU.

### Motion:

Upon a motion by MK and seconded by DT, the Board voted to approve minutes as amended; motion passed by roll call, MU, LF, JM abstained.

### **III. Appearance Schedule**

A. Adjudicatory Hearing – Huggins; Hearing opened at 8:30 am and closed at 10:56 am.

### **IV. Board Administrator Updates**

#### **A. Legislation tracking**

##### **1. HB 1095**

Amendments to Board of Nursing start on page 38. Page 40, line 8 has the reference to the nursing assistant registry. However, Page 44 line 2 repeals the scope of practice within the statute. It appears that the statute plans to lean on the federal regs under 42 CFR §483.156 for scope of practice. Additionally, page 43 beginning on line 19, some of what was under the Board moves to the OPLC. Of note is the periodic review of nursing and nursing assistant education programs and their submission of evidence of compliance with standards.

Motion: SO, to represent the Board as chair.

##### **2. 326-B:4 Powers and Duties of the Board**

##### **3. HB 1585**

##### **Motion:**

The Board is supportive with minor changes. A motion by WSJ and seconded by JM the Board voted the Chair SO to represent the Board to speak on their behalf.

#### **B. Declaratory Ruling Review**

Motion: approved the ruling to move forward. Board Counsel will handle.

#### **C. Board Travel Policy – Informational**

### **V. Education**

#### **A. LNA Health Careers**

##### **Motion:**

Upon a motion by MT and seconded by MU, the Board voted to approve, unanimous roll call vote.

#### **B. MNA Program - Request to change textbook.**

##### **Motion:**

Upon a motion by DT and seconded by LF, the Board voted to approve, unanimous roll call vote.

#### **C. Nashua Community College – Informational**

## **VI. P&E Committee**

### **A. Minutes**

1. Question 1 - Will review 801.02 and take the question back up next month.
2. Question 2 – Refer back to scope of practice on website.
3. Question 3 – Will come back with a recommendation for the March meeting.

#### **Motion:**

Upon a motion by MM and seconded by MT, the Board voted to approve the minutes except for question 3 which is tabled to next meeting; unanimous roll call vote.

## **VII. Rules**

### **A. NUR 200 – Conditional Approval**

#### **Motion:**

Upon a motion by DT and seconded by MU, the Board voted to approve the conditional response, unanimous roll call vote.

### **B. NUR 300 – Adoption**

#### **Motion:**

Upon a motion by JM and seconded by MK, the Board voted to adopt, unanimous roll call vote.

Please note that question 1 had much discussion, and P&E would like to request that the minutes be reviewed first on the agenda at the next BON meeting so that members can attend and answer questions that are anticipated.

## **VIII. Non-Meeting**

**1<sup>st</sup>:** Upon a motion by DT and seconded by MU, the Board voted to move into non meeting at 9:54 am; unanimous roll call vote.

Upon a motion by DT and seconded by MK, the Board voted to resume public session at 10:05 am, unanimous roll call vote.

## **IX. Non-Public Session**

**1<sup>st</sup>:** Upon a motion by MK and seconded by DT, the Board voted to go into Non-Public session at 11:34 am.

Motion to move into Non-Public session for the purpose of board business and noting that such a non-public session is authorized by RSA 91-A:3, II (c), RSA 91-A:3, II (e), RSA 91-A:5, IV, RSA 326-B: 38, Lodge v. Knowlton, 119 N.H. 574 (1978), and the Board's executive and deliberative privileges.

## **X. Resume Public Session**

Upon a motion by MM and seconded by MT, the Board voted to resume the public session at 4:05pm.

**A. Seal Minutes from Non-Public Session**

Motion to keep minutes of the non-public session confidential from public disclosure pursuant to RSA 91-A: 3, III on the grounds that public disclosure would be likely to affect adversely the reputation of a person other than a board member and/or to render the proposed action ineffective and/or is not subject to public disclosure pursuant to RSA 236-B: 38.

**Motion:**

On a motion by MM and seconded by MT, the Board voted to seal the Non-Public minutes at 4:05pm.

**XI. Adjournment**

**Motion:**

Upon a motion by DT and seconded by MK, the Board voted to adjourn at 4:05 pm; unanimous.  
The next Board meeting is March 28, 2024 @ 8:00 am.