



Board of Nursing

December 15, 2022 at 8:00 AM
7 Eagle Square, Concord, NH

Attendance

Members Present:

Chair - Samantha O'Neill (SO), Vice-Chair - Joni Menard (JM), Matthew Kitsis (MK), Michele Melanson Schmitt (MMS), Melissa Underhill (MU), Melissa Tuttle (MT), Maureen Murtagh (MM), Wendy Stanley Jones (WSJ) and Dwayne Thibeault (DT)

Staff Present:

Ashley Czechowicz, Board Administrator, Jeanne Webber, Board Administrator, Nikolas Frye, Esq., Hearing Examiner, Lauren Warner, Esq., OPLC Board Counsel

The following applies to all Non-Pubic Sessions.

All Non-Public Sessions are recorded as follows 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. Each member recorded his or her vote on the motion, which passed by the unanimous poll vote of all members present and included all members listed above.

And

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. However, forty-eight hours after the mailing of any order, its respective vote shall automatically become public in accordance with RSA 326-B: 38.

Upon motion of MMS seconded by MM, the Board voted to commence the **1st non-public session** at 8:12 a.m. and ended at 8:50 a.m.

Motion to come out of non-public was made by DT, and seconded by MMS, by unanimous roll call vote.

Upon the motion of DT, and the second of MMS, the Board voted to keep minutes of the non-public session confidential from public disclosure. Each member recorded his or her vote on the motion, which passed by unanimous vote.

Upon motion of MK, seconded by , the Board voted to commence the **2nd non-public session** at 9:11 a.m. and ended at 9:54 a.m.

Motion to come out of non-public was made by WSJ, and seconded by MM, by unanimous roll call vote.

Upon the motion of WSJ, and the second of MM, the Board voted to keep minutes of the non-public session confidential from public disclosure. Each member recorded his or her vote on the motion, which passed by unanimous vote.

Upon motion of MMS, seconded by MK, the Board voted to commence the **3rd non-public session** at 11:00 a.m. and ended at 1:12 p.m.

Motion to come out of non-public was made by MMS, and seconded by MU, by unanimous roll call vote.

Upon the motion of MMS, and the second of MU, the Board voted to keep minutes of the non-public session confidential from public disclosure. Each member recorded his or her vote on the motion, which passed by unanimous vote.

Upon motion of DT, seconded by MM, the Board voted to commence the **4th non-public session** at 1:21 p.m. and ended at 2:35 p.m.

Motion to come out of non-public was made by MM, and seconded by WSJ, by unanimous roll call vote.

Upon the motion of MM, and the second of WSJ, the Board voted to keep minutes of the non-public session confidential from public disclosure. Each member recorded his or her vote on the motion, which passed by unanimous vote.

I. Call to Order

The meeting was called to order and convened at 8:03 AM by Samantha O'Neill, Chair, with quorum present.

II. Approval of Minutes

A. November 17, 2022

Motion:

Upon a motion by WSJ, with a second by MMS, the Board voted to approve the minutes as stated; motion passed. **Absent for vote:** DT, MM

III. Appearance Schedule

- Brianna Mayhew, LNA - 9:00 AM - 10:00 PM
- Nashua Community College - 10:00 AM - 12:00 PM
- Jay Bean - 1:00 PM
- Ciera Mack - 1:00 PM

IV. Board Administrator Updates

- A. OPLC Strategic Plan
Informational, no Board action required
- B. OPLC Budget Report
Informational, no Board action required

C. Rules update

1. Nur 300 various
Tabled to the January 2023 meeting
2. Nurse Extern Rules

Motion:

Upon a motion by MK, with a second by WSJ, the Board voted to remove language regarding licensure from the rules; motion passed. **Abstained:**
DT

D. Cambridge English

Tabled to the January 2023 meeting

V. Education

A. LPN/RN - No Items

B. LNA

1. New Medication Nursing Assistant Program at the NH Veterans Home

Motion:

Upon a motion by DT, with a second by MK, the Board voted to accept the recommendation; motion passed.

2. Excel Testing Bi-Annual Visit

Motion:

Upon a motion by DT, with a second by MK, the Board voted to accept the recommendation; motion passed.

3. Concord High School Bi-Annual Visit

Motion:

Upon a motion by DT, with a second by MK, the Board voted to accept the recommendation; motion passed.

4. Seacoast School of Technology Bi-Annual Review

Motion:

Upon a motion by DT, with a second by MK, the Board voted to accept the recommendation; motion passed.

5. Manchester School of Technology LNA Program Bi-Annual Review

Motion:

Upon a motion by DT, with a second by MK, the Board voted to accept the recommendation; motion passed.

6. New Instructor/Coordinators/Reviewers
Informational, no Board action required

VI. Clinical Practice

- A. Practice and Education Committee Minutes
November 14, 2022 minutes

Motion:

Upon a motion by MMS, with a second by JM, the Board voted to approve the minutes as stated; motion passed.

- B. Clinical Inquiry

Motion:

Upon a motion by JM, with a second by MT, the Board voted to send to the P&E Committee for review and to give recommendation; motion passed.

VII. Adjudicative

- A. Brianna Mayhew, LNA - Adjudication

Motion:

Disciplinary Hearing proceeded at 9:04 AM. The applicant did not appear in person or by zoom after being provided notice of the hearing date and time. Upon a motion by WSJ, with a second by MMS, the Board voted to hold the hearing *in absentia*. Hearing concluded at 9:10 AM. Upon a motion by MM, with a second by MMS, the board voted to suspend her license indefinitely, commencing from the date the Board approves her application for licensure. Motion passed.

- B. Nashua Community College

Motion:

Hearing proceeded at 9:57 AM and concluded at 11:00 AM. Upon a motion by MM, with a second by MK, the Board voted to grant the appeal and issue a Notice of Hearing; motion passed. **Recused:** SO

- C. Jay Bean - Show Cause

Motion:

Show Cause Hearing proceeded at 1:17 PM. The applicant did not appear in person or by zoom after being provided notice of the hearing date and time. Upon a motion by MMS, with a second by MK, the Board voted to hold the hearing *in*

absentia. Hearing concluded at 1:19 PM. Upon a motion by MK, with a second by MMS, the board voted to deny the application for licensure. Motion passed.

D. Ciera Mack - Show Cause

Motion:

Show Cause Hearing proceeded at 1:19 PM. The applicant did not appear in person or by zoom after being provided notice of the hearing date and time. Upon a motion by JM, with a second by DT, the Board voted to hold the hearing *in absentia*. Hearing concluded at 1:21 PM. Upon a motion by JM, with a second by MMS, the board voted to deny the application for licensure. Motion passed.

VIII. Adjournment

Motion: At 2:35 p.m., upon a motion by DT, with a second by MT, the Board voted to adjourn the meeting.