

**NH BOARD OF NURSING
PUBLIC MINUTES
January 27, 2022**

CALL TO ORDER

The meeting was called to order and convened at 8:41 a.m. by Tracey Collins, Chair, with quorum present.

The following board members were present for all or part of the meeting: Chair, Tracey Collins (TC), Vice Chair, Samantha O'Neill (SO), Joni Menard (JM), Melissa Tuttle (MT), Maureen Murtagh (MM) and *Gene Harkless (GH) joined via zoom and left the meeting at 10:50 a.m.*

The following board members were absent: Melissa Underhill (MU), Matthew Kitsis (MK), and Wendy Stanley Jones (WSJ)

The following board staff present for the meeting: Ashley Czechowicz, (AC), Board Administrator, Christine Senko, Administrator, Stacy Nachman (SN) Education Specialist, and Nikolas Frye, Hearings Examiner

The following applies to all Non-Public 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 MM seconded by SO, the Board voted to commence the **1st non-public session** at 9:41 a.m. and ended at 10:57 a.m.

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

Upon the motion of SO and the second of MT, 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 SO, seconded by MM, the Board voted to commence the **2nd non-public session** at 11:18 a.m. and ended at 11:29 a.m.

Motion to come out of non-public was made by JM and seconded by MT, by unanimous vote.

Upon the motion of JM and the second of MT, 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 SO, seconded by MT, the Board voted to commence the **3rd non-public session** at 11:37 a.m. and ended at 12:50 p.m.

Motion to come out of non-public was made by SO and seconded by MT, by unanimous vote.

Upon the motion of SO and the second of MT, 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.

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63 Upon motion of MT, seconded by SO, the Board voted to commence the **4th non-public session** at 2:14 p.m. and ended at
64 2:50 p.m.
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66 Motion to come out of non-public was made by MM and seconded by MT, by unanimous vote.
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68 Upon the motion of MM and the second of MT, the Board voted to keep minutes of the non-public session confidential from
69 public disclosure. Each member recorded his or her vote on the motion, which passed by unanimous vote.
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73 **All vote motions were passed by roll call vote.**
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75 **2.0 APPROVAL OF MINUTES**

76 2.1 Public Minutes

77 Upon a motion made by JM, with a second by MM, the Board voted to approve 2.1.1 and 2.1.2 as stated;
78 motion passed.

79 2.1.1 December 16, 2021

80 2.1.2 December 23, 2021

81 **4.0 REPORT OF BOARD ADMINISTRATOR/STAFF**

82 4.3 Articles of Interest

83 4.3.1 Continued Executive Order 2021-12 discussion, **1:00 – 2:00 PM:**

84 4.3.1.1 Active in practice requirements – The Board continued their review of the draft rule
85 language and discussed small changes to the revised draft. Upon a motion by MM, with a
86 second by MT, the Board voted to approve the rule language as edited.

87 4.3.1.2 Paramedics/EMTs – out of state program, Stacy Nachman (SN) to provide update: SN
88 has been unable to contact the program director for the out of state program, therefore the
89 Board is unable to make the recommendation at this time. The Board requested SN to
90 continue reaching out for additional information.

91 4.3.1.3 Advanced EMT to LPN: This discussion is ongoing, SN to further research

92 4.3.1.4 Endorsement requirements for foreign educated nurses: GH was researching territory
93 requirements, will report at the next regularly scheduled meeting.

94 4.3.1.5 Nurse apprentice program/externship: TC reviewed the draft proposal with the Board and
95 members of the public who attended via zoom. There was discussion with the use of
96 “externship” versus “apprentice.” SO to research any conflicts with the Department of
97 Labor.

98 4.3.1.6 Discussion – creating a committee to review educational requirements for Paramedic to
99 RN bridge program: SO volunteered to form a committee, and will reach out to those that
100 have already expressed interest in participating. Any other interested parties please reach
101 out to the Board office.

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- 102 4.3.1.7 Emergency Rule: Upon a motion by SO, with a second by MM, the Board voted to
103 suspend continuing education requirements for renewal only for LNA, MNA, LPN, RN,
104 and APRNs. The Board will seek input from stakeholders and look at possibly making
105 changes to requiring specific categories for the permanent set of rules.
- 106 4.3.2 Rule making discussion – areas of focus Nur 300s and Nur 600s, renewal requirements – OPLC
107 Executive Director, Lindsey Courtney, shared that an initial draft has been created with proposed
108 revisions, which will be forwarded to the Board for their review and edits.
- 109 4.3.3 HB143 – draft rule language – Upon a motion by SO, with a second by JM, the Board voted to
110 approve the language as written and submit it as interim rules.
- 111 4.3.4 HB143 Waiver Requests – Upon a motion by SO, with a second by MT, the Board voted to
112 approve or deny the following waivers, effective upon the filing of the interim rules; motion
113 passed.
- 114 4.3.4.1 Littleton Regional Healthcare – Upon a motion by GH, with a second by SO, the Board
115 voted to approve the waiver request until January 1, 2023; motion passed.
- 116 4.3.4.2 University of New Hampshire - Upon a motion by SO, with a second by MT, the Board
117 voted to approve the waiver request until January 1, 2023; motion passed. Recused: GH
- 118 4.3.4.3 River Road Pediatrics - Upon a motion by GH, with a second by SO, the Board voted to
119 approve the waiver request until January 1, 2023; motion passed.
- 120 4.3.4.4 Steve Arvin, APRN – Upon a motion by GH, with a second by SO, the Board voted to
121 deny the request for waiver, and request further information; motion passed.
- 122 4.3.4.5 Jan Archambault, APRN - Upon a motion by SO, with a second by JM, the Board voted
123 to approve the waiver request until January 1, 2023; motion passed.
- 124 4.3.5 RSA 318:17, VI (c) – NH Model State-Wide Protocol for Dispensing Hormonal Contraceptives
125 Without Prior Prescription – Request for consent from Board of Pharmacy – Upon a motion by
126 GH, with a second by JM, the Board voted to support the request from the Board of Pharmacy;
127 motion passed.
- 128 4.3.6 School Nurses’ discussion – informational update, no Board action required
- 129 4.3.7 Proposed legislation of interest, for full list see Appendix A – The Board discussed the legislation
130 provided, informational.
- 131 4.3.8 Volunteer designee to meet regarding Board of Pharmacy inspections of licensees who perform
132 compounding and compounding practices – JM volunteered to be the designee from the Board of
133 Nursing.

134 **5.0 EDUCATION**

135 5.1 LPN/RN

- 136 5.1.1 New Faculty Approvals 12/14/21 through 01/13/22 – Informational, no vote

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137 5.1.2 ACEN visit at Lakes Region Community College – The Board is requesting that they complete
138 their portion of the visit separate from ACEN.

139 5.1.3 School nurse calls regarding Board’s position of their role – Informational, no vote

140 5.2 LNA

141 5.2.1 Closure of MedPro Educational LLC – Informational, no vote

142 5.2.2 LNA Health Careers LNA Program – Upon a motion by GH, with a second by MT, the Board
143 voted to approve the request for an additional two years of operation.

144 5.2.3 New Instructors/Coordinators/Reviewers – Informational, no vote

145 5.2.4 Excel Testing 4th Quarter and Annual Testing Results – Informational, no vote

146 **7.0 ADJUDICATIVE (INVESTIGATOR/PROSECUTOR)**

147 7.1 Hearings

148 7.1.1 Diane Ferraro, RN – Show Cause hearing proceeded at 9:00 a.m. Upon a motion by GH, with a
149 second by MT, the Board voted to remove the suspension, and initiate the two-year probation,
150 motion passed. Hearing concluded at 9:16 a.m.

151 ~~7.1.2 Ari Williams, LNA – Adjudication – Continued, per licensee request~~

152 7.1.3 Lauren Cleveland, LNA – Show Cause hearing proceeded at 11:00 a.m. Upon a motion by SO,
153 with a second by MM, the Board voted to choose not to revoke the LNA license, motion passed.
154 Hearing concluded at 11:17 a.m.

155 7.1.4 Elizabeth Frost, RN – Emergency Hearing commenced at 11:30 a.m. Upon a motion by SO, with a
156 second by MT, the Board voted to emergently suspend the license of Elizabeth Frost, RN, due to
157 evidence that Ms. Frost poses an imminent threat to the public’s health, safety, and welfare.
158 Motion passed. Hearing concluded at 11:35 a.m.

159 **10.0 CLINICAL PRACTICE**

160 10.1 Clinical

161 10.2.1 Practice & Education Committee Minutes – January 6, 2022 – Upon a motion by SO, with a
162 second by MM, the Board voted to approve the minutes, as stated; motion passed.

163 **12.0 ADJOURNMENT**

164 At 2:50 p.m., upon motion by MM, with a second by MT, the Board voted unanimously via roll call vote to adjourn
165 the public meeting.

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171 **Appendix A - Proposed Legislation of Interest:**

172 1. HB503 – (Second New Title) codifying the council on housing stability and relative to telehealth and medically
173 assisted treatment for substance use disorder

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- 174 2. HB1014 – allowing public meetings to be conducted virtually
- 175 3. HB1030 – relative to licensure by alternate experience for licensed nursing assistant
- 176 4. HB1126 – permitting minors over the age of 16 to obtain a vaccination without parental consent
- 177 5. HB1210 – relative to exemptions from vaccine mandates
- 178 6. HB1444-FN-A – relative to the registration of medical spas
- 179 7. HB1405 – allowing out-of-state mental health care providers to provide telehealth treatment during a mental health
180 emergency
- 181 8. HB1409 – relative to the age at which a minor may receive mental health treatment without parental consent
- 182 9. HB1619 – relative to qualifying conditions for the therapeutic cannabis program
- 183 10. HB1622 – relative to mental health parity
- 184 11. HB1659-FN – relative to criminal history background checks for certain health care workers
- 185 12. SB220 – relative to establishing a committee to study licensure of mental health professionals
- 186 13. SB222 – permitting licensing boards to conduct remote meetings
- 187 14. SB277-FN – relative to emergency or temporary health care licenses
- 188 15. SB313 – relative to the authority of the office of professional licensure and certification to establish fees
- 189 16. SB322 – relative to remote meetings under the right-to-know law
- 190 17. SB344 – relative to the quorum requirements under the right to know law of meetings open to the public
- 191 18. SB382 – relative to licensure requirements for telehealth services
- 192 19. SB330 – relative to reciprocal licensing requirements for boards, commissions, and councils administered by the
193 office of professional licensure and establishing registration of paid feeding assistant program
- 194