

MINUTES

July 10, 2018 Executive Committee Meeting via Teleconference

Minutes prepared by J. Puente and M. Bieniek, staff

Minutes reviewed by S. Tedford, Chair, J. Douglas, Vice-chair

COMMITTEE MEMBERS

S. Tedford, AR, Chair	Present
J. Douglas, VA, Vice- Chair	Absent
K. Glazier, OK, Member-at-Large	Present
S. Pfenning, ND, Member-at-Large	Present
K. Weinberg, IA, Member-at-Large	Present
Treasurer	Vacant

OTHERS PRESENT

R. Masters, Legal Counsel

J. Cleghorn, Georgia

S. Delp, Colorado

N. Goldman, Kentucky

P. Hagan, Kentucky

Aaron Harshman, Indiana

K. Lyon, Louisiana RN Board

M. Mayhew, West Virginia PN Board

M. Majek, Texas

P. Mitchell, Vermont

S. Poole, New Mexico

STAFF PRESENT

M. Alexander, Chief Officer, Nursing Regulation

M. Bieniek, Senior Coordinator, Nurse Licensure Compact

R. Fotsch, Associate Director, Legislative Affairs and State Advocacy

J. Puente, Director, Nurse Licensure Compact

E. Vice, Director, Government Affairs

#	Agenda Item	Minutes
1.	<ul style="list-style-type: none"> a) Call to Order (Chair) b) Roll Call (Bieniek) c) Declare Quorum Present (Chair) d) Minutes of April 30-May 1, 2018 Meeting 	<ul style="list-style-type: none"> a) S. Tedford called the meeting to order at 2:03 pm. b) M. Bieniek completed the roll call. c) S. Tedford declared a quorum present. d) K. Glazier made a motion to approve the minutes as written and S. Pfenning seconded. The motion carried.
2.	Legislative Updates (R Fotsch)	<p>R. Fotsch provided a legislative update.</p> <ul style="list-style-type: none"> • KS and LA: enacted legislation which brings total to

		<p>31 states that enacted NLC legislation.</p> <ul style="list-style-type: none"> • IL: Bill officially died. In IL there was opposition from the Nursing Association but more specifically the NNU and AFL CIO union. IL still has a lobbyist in the state. • IN: Bill died early on. They had an extremely short legislative session this year. They have a study committee studying the benefits of NLC for Indiana. • RI: bill is still pending because session has not officially adjourned but confident bill will die. Did not see enough support in RI to get any kind of movement from that bill. • NY: Bill died. It was the bill that included the NLC and the Medical Compact. R. Fotsch was not able to get much information from the sponsor. Every year the bill gets introduced in NY but it never has movement. • VT: Legislator introduced legislation. It did not pass but board did not intend to move it forward this session and instead have intent to move forward in 2019. P. Mitchell, VT, indicated that legislature asked the office of professional regulation to do a study and present results at next legislative session in January. • MA: Finally able to get bill moved out of Healthcare Finance, which was big success. It is furthest bill has ever gone. It is now with Ways and Means Committee. Few more weeks before session ends, working diligently to get out of Ways and Means. • MI: Bill filed. There is a lot of support. The legislative session is on a summer recess right now and will be returning in September. Hoping to get the bill heard in Committees in September. So far there is all support. • NJ: Bill moved out of its first committee. There is a lot of support. Last session NJ bill almost passed and died on the floor. Hired lobbyists to make sure this doesn't happen again. Have support of the Nursing Association.
3.	Draft Legal Memo on Licensure Model (Masters, All)	Members will revisit most appropriate way for developing a framework for the licensure model. The request for a legal memo is postponed for further consideration.

		Discussion will continue at the next EC meeting.
4.	<p>Staff Update: (Puente)</p> <ul style="list-style-type: none"> a. Operations Committee b. Compliance Committee c. Budget Update <ul style="list-style-type: none"> i. Planning for Strategic Planning meeting ii. NLC Conference 	<p>At last Executive Committee meeting J. Puente was asked to convene several committees.</p> <ul style="list-style-type: none"> a) Staff sending out Doodle request to get Operations Committee scheduled. Meeting will be regarding the best for implementing a process for accepting applications in advance of a move (i.e. a licensee applying prior to moving to the new primary state of residence) Plan to report out at the annual meeting. b) J. Puente was also directed to convene the compliance committee. The item that was deferred to the compliance committee for additional work pertains to the rule related to criminal background checks. There was a suggestion to add additional language regarding rapback. <p>Members decided that since discussion circled around amendment to a rule and adding language to that rule, the topic should be referred to Rules Committee instead of the compliance committee.</p> c) Several recommendations were made at the Executive Committee meeting with budget implications. J. Puente submitted all, including the face-to-face Rules Committee meetings for FY19, the strategic planning session, and the NLC Conference to NCSBN. David has tentatively approved for submission in the budget, pending Board of Directors review this fall. <ul style="list-style-type: none"> i. J. Puente suggested that November may be a good time for the strategic planning session. Members agreed. The next steps include finalizing a facilitator and determining if they have availability. ii. J. Puente suggested that this meeting take place in 2019 calendar year. J. Puente will look at NCSBN calendar and work with meetings planner to not conflict with other scheduled meetings in 2019.
5.	<p>Question from Several BONs: (Masters , All)</p> <p>Seeking definitive interpretation of the below language:</p>	<p>There have been several questions about interpretation of language. J. Puente shared background that FL and WY attorneys had questions regarding interpretation of the language. They also had a legal conference call with F.</p>

	<p>7. <i>Has not been convicted or found guilty, or has entered into an agreed disposition, of a felony offense under applicable state or federal criminal law;</i></p> <p>8. <i>Has not been convicted or found guilty, or has entered into an agreed disposition, of a misdemeanor offense related to the practice of nursing as determined on a case-by-case basis.</i></p>	<p>Knight, R. Masters, the Wyoming staff and their attorney. At conclusion of the call it was determined that further guidance from Rules Committee or Executive Committee is needed regarding agreed disposition.</p> <p>R. Masters indicated issue centers on the difference in terminology in states about what is an agreed disposition and is there a charge that is still pending for a period and later disappears, and if it does how should it be treated? R. Masters said that changes to some rules and definitions might help clarify this but there are some idiosyncrasies that might not lend themselves to a complete resolution. R. Masters suggested a legal memo or advisory opinion in conjunction with some of the rules. J. Puente suggested that clarifying intent of the rule might help.</p> <p>S. Pfenning suggested a subcommittee within rules committee to hone in on this topic. Sue seconded S. Pfenning's suggestion. Members agreed. Include someone who was part of the 'walk in the woods' discussion when the intent was discussed in the Rules Committee meeting about this topic.</p> <p>J. Puente suggested that there is a need to pull together existing resources and look at those in conjunction with legal advice.</p> <p>K. Glazier offered to share notes from walk in the woods meetings regarding this issue.</p>
6.	<p>Suggestions for Annual Meeting Agenda</p> <p>Tentative Agenda Items:</p> <ul style="list-style-type: none"> a) Introduce New Commissioners b) Minutes c) Legislative Update d) Budget Report e) Rules Committee Report f) Operation Committee Report g) Compliance Committee Report h) Elections Committee Report; Nominations i) Introduce Members of Committees j) Logo Selection k) Strategic Planning Meeting Update l) Utilization of Alternative Program Participation Indicator m) Recognition 	<p>J. Puente asked members to review current list of suggested agenda items for annual meeting. J. Puente indicated this will be finalized in the next 7-10 days and plans to still do call for agenda items to everyone in the next week.</p> <p>K. Glazier suggested finding more information regarding room arrangements. J. Puente indicated he and M. Bieniek will work with Colleen to see what room arrangements can look like.</p>
7.	Interview Potential Strategic Planning Facilitator	Interview with Robert Nelson, strategic planning facilitator.

		<p>He can assist with two day strategic planning retreat event in November (date TBD).</p> <p>Executive Committee thought it would be best to bring outside consultant to help get basic of strategic plan.</p> <p>R. Nelson presented PowerPoint presentation and asked members to provide feedback and ask questions.</p> <p>R. Nelson presented his overall process for preparing for session in 3 steps:</p> <ul style="list-style-type: none"> • Pre Think Tank <ul style="list-style-type: none"> - Document Review - Process Design - Research - Strength/Weakness - Design Meeting • Think Tank <ul style="list-style-type: none"> - Highly interactive and engaging - Varied methodology - Divergence to Convergence • Post Think Thank <ul style="list-style-type: none"> - Proceedings - Strategic Issue Statements - Strategy Document - Metric Development <p>R. Nelson indicated that the primary goal of the 1.5 day strategic planning retreat is for members to walk out with a clear understanding of what the priority strategic initiatives are, what issues each initiative attacks, and what success looks like. Following the planning retreat R. Nelson will reflect on all prior research and background materials, everything that was done and said and draft strategic issue statements to share with members for final review and commentary. The last element are metrics. Staff is best positioned to develop metrics and R. Nelson can work with staff to create and deliberate overall plan.</p> <p>S. Tedford asked for references of individuals R. Nelson has worked with to develop strategic plans in the past. R. Nelson agreed.</p> <p>J. Puente will review and speak to references and determine next steps and if he should be contracted.</p>
	ADJOURN	
	REFERENCE DOCUMENTS	
	Statutes	
	Final Rules per 12/12/17	
	Bylaws	

