



**Commission Executive Committee
December 16-17, 2020**

Members Present:

- K. Glazier, Chair (OK)
- S. Pfenning, Vice-chair (ND)
- A. Oertwich, Treasurer (NE)
- J. Baker, Member-at-Large (FL)
- C. Moody, Member-at-Large (SC)
- M. Poortenga, Member-at-Large (MT)
- P. Zickafoose, Member-at-Large (DE)

Others:

- M. Alexander, chief officer, Nursing Regulation
- M. Bieniek, associate, NLC
- T. Buchholz, ND
- R. Fotsch, director, Legislative Affairs and Advocacy, NCSBN
- N. Kalfas, legal counsel, Council of State Governments
- D. Kappel, director, Marketing and Communications, NCSBN
- F. Knight, legal consultant, NLC
- M. Kotnaur, director, Marketing and Advocacy, NCSBN
- R. Masters, special counsel, NLC
- J. Puente, director, NLC
- B. Thompson May (MS)
- J. Ridenour (AZ)

#	Agenda Item	Discussion	Action
	December 16, 2020		
1.	<ul style="list-style-type: none"> a) Call to Order b) Roll Call c) Declare Quorum Present d) Adopt Agenda 	<ul style="list-style-type: none"> • M. Bieniek did the roll call and all members were present. S. Pfenning was not present on Dec 17, 2020. • K. Glazier called the meeting to order at 12:03 pm CT and declared a quorum present. 	C. Moody moved to adopt the agenda and S. Pfenning seconded. The motion carried.
2.	Executive Committee (EC) Draft Meeting Minutes of September 2-3, 2020		P. Zickafoose moved to adopt the meeting minutes as presented and M. Poortenga seconded. The motion carried.
3.	Legislative Update	R. Fotsch provided the legislative update. Recent NLC legislative activity: <ul style="list-style-type: none"> • Michigan: the bill passed both chambers but did not get any 	

		<p>Democrat votes. The Democrat governor may not enact the bill. Work is being done to encourage the governor to sign the bill. The bill is enrolled and in process of being sent to governor. Hospitals have a PR campaign and will submit op-eds.</p> <ul style="list-style-type: none"> • Massachusetts: A bill passed that requires the state health policy commission to conduct a study on admission to the NLC. It is independent and non-partisan. It will issue a report. NCSBN and MA BON will submit information. Report must be done by March or earlier. • Guam: NLC bill was not successful. The sponsor and speaker were very dedicated. The committee chair would not let a vote be taken. There is a fear that nurses will leave Guam. The bill will be refiled in 2021. • Pennsylvania: The bill did not move out of committee. The committee did not meet due to a focus on the election. The bill will return next session. It may pass in the spring if fast-tracked. • Ohio's NLC bill passed the Senate. The legislature ends in December, so the bill will die. It will be refiled in January. The ONA opposes the bill. <p>2021 NLC Outlook:</p> <ul style="list-style-type: none"> • AK, IL, PA, WA, CA, NV, VT and Guam will all have bills in 2021. <p>APRN Compact legislation:</p> <ul style="list-style-type: none"> • ND, ID and DE will introduce bills in 2021. • There are several other states that have expressed interest. • A stakeholder webinar is scheduled Dec 16, 2020. 	
4.	CSG/National Center for Interstate Compacts (NCIC) Collaboration	<ul style="list-style-type: none"> • Puente reported that CSG hosts monthly meetings of the healthcare compact directors to discuss mutual issues. • CSG is offering grants via Department of Defense funding for licensed professions seeking to develop an interstate compact. 	

5.	Joint Agenda Items Executive Session: (Closed) Pursuant to Article VII (b)(5)(iii)(iv)	Legal counsel R. Masters certified that the under the provisions of the NLC members are permitted to close this section of the meeting. The justification is that this discussion as well as the documents may involve potential legal liability.	J. Baker made a motion to enter into executive session at 12:40 pm CT and C. Moody seconded. The motion carried. C. Moody moved to come out of executive session at 1:13 pm and S. Pfenning seconded. The motion carried.
6.	Joint Meeting with NCSBN CEO David Benton and Board of Directors	The joint meetings are routinely held for continued communication and collaboration between the two leadership bodies.	
	RECESS	Members recessed at 4:00 pm CT on Dec 16, 2020.	
December 17, 2020			
7.	NLC Conference in May 2021	Staff summarized a draft outline of an NLC Conference in May 2021. Due to the pandemic, the conference will be virtual. This enables the conference to be offered over the course of four weeks. Staff will meet with committees in January to determine the content that each committee will present.	
8.	Rules Committee Report a) Rulemaking Handbook update b) Legal FAQs status update c) Flowchart re: Adverse Action d) Proposed Rule Re: Audit Authority of the Commission	<ul style="list-style-type: none"> • B. Thompson May reported that the Rules Committee is drafting a rulemaking handbook. • Legal FAQs were revised and organized and will be disseminated to members for comment in January 2021. • A flowchart drafted by the rules committee was reviewed and editorial revisions were suggested. 	P. Zickafoose moved approval of the flowchart, incorporating suggested revisions and that the flowchart be posted on the members only website and J. Baker seconded. The motion carried.
9.	Policy Committee Report Update on Draft Policies: a) Policy 4.5: Privilege to Practice (PTP) Discipline and NPDB Reporting Process b) Update on future	a) P. Zickafoose reported that during a previous Policy Committee meeting that N. Rajwany and staff presented and demonstrated draft Policy 4.5. The policy is complex and difficult to understand. Nursys Team will revise the policy and bring it back to the Policy Committee at a	

	work of Policy Committee	future meeting. b) Nurse Alert policy is tabled currently. Compliance-related policies are on hold pending the proposed audit rule being drafted by the rules committee.	
10.	Compliance Committee Report Self-Audit tool update a) Risk Assessment Survey update	<ul style="list-style-type: none"> • Puente reported that the Compliance Committee has revised, organized and abbreviated the self-assessment for compliance tool. • The tool will be used as the basis for future compliance reviews. • The Compliance Committee will conduct a risk assessment on the self-assessment items to determine which are high risk and should be included in the compliance review. This will be done via a survey sent to Commissioners. • The revised self-assessment will be on the Midyear Meeting agenda for adoption. 	
11.	Marketing Plan Update	<ul style="list-style-type: none"> • Staff introduced the new Director of Marketing and Advocacy at NCSBN, Mike Kotnaur. <p>D. Kappel gave the following Marketing Plan Update:</p> <ul style="list-style-type: none"> • An assessment of the website reveals some broken links and use of the term eNLC. • Existing flyers and formats are being reviewed by Marketing staff. • A paid advertisement was placed in a National Council of State Legislatures (NCSL) publication; print and digital. • Marketing is working on advertorials in 2021. • January 2021 will be designated as “NLC month.” This will include: <ul style="list-style-type: none"> ○ Posting 3-5 times per week on social media ○ Reposting the best Tips of the Week ○ Instagram will be implemented. • Impact in Action interviews for articles will be continued. <ul style="list-style-type: none"> ○ A recent article featured Hank Drummond, Cross 	

		<p>Country Healthcare (staffing agency)</p> <ul style="list-style-type: none"> Members suggested that Marketing promote NLC to state emergency response agencies. 	
12.	Research Committee Update	<ul style="list-style-type: none"> T. Buchholz provided the committee report. The committee consisted of six members. The first meeting was held Dec 7, 2020. The Committee reviewed the charges identified in the strategic plan. The committee brainstormed research ideas and reviewed 2014 national study that was done. Buchholz sought guidance in order to prioritize research needs. The research committee will meet with NCSBN research staff in January to learn about current and past NLC research efforts. The Executive Committee (EC) recommended that once information is available from the joint meeting, the EC would be able to provide further guidance on prioritizing research needs. EC Members commented that the Center for Nursing Workforce has some questions related to NLC. The information will be forwarded to staff. M. Alexander advised that NCSBN Research Department is currently doing an economic evaluation of the NLC. 	
13.	Committee Vacancies	<p>Staff reported that there is currently a vacancy on each of three committees (Compliance, Research and Training & Education).</p>	<p>P. Zickafoose moved that staff should ask P. Samuelson (AL BON) if he will accept an appointment to the Compliance Committee and if L. Bonanno (LA-RN BON) will accept an appointment to the Research Committee. A vacancy on the Training and Education Committee will not be filled at this time. C. Moody seconded. The motion carried.</p>
14.	Generative discussion regarding NLC and APRN Compact	<ul style="list-style-type: none"> M. Alexander joined the meeting to discuss collaboration between NLC and APRN Compact. 	

		<ul style="list-style-type: none"> • P. Zickafoose expressed appreciation for NCSBN assistance with APRN Compact legislation. • Nebraska is working on introducing APRN Compact legislation. • Alexander sought ideas for engaging NLC member states in APRN Compact legislation. • For states with independent practice authority, it will be easier to move the legislation. • NCSBN has a lobbyist in Florida to assist. • NCSBN can help states prepare for 2022 or 2023. • Members asked if NGA and NCSL has been provided with APRN Compact information so that they can provide it to legislators. Maryann suggested that these entities can be invited to future webinars. • People are needed who can push it at the national level. • Members asked about engaging physicians that would support the APRN Compact. • The goal is for there to be 7 states in the APRN Compact by the end of the 2022 legislative session. 	
15.	NLC Governance Training	<p>N. Kalfas, consultant to Council of State Governments, joined the meeting to discuss potential governance training at the Commission annual meeting.</p> <p>Suggestions include:</p> <ul style="list-style-type: none"> • to do a review of previous training content due to Commissioner turnover. • A breakdown of Commission duties versus Executive Committee duties • The firewall between duties of entities which may conflict; legal separation. • A review of conflict-of-interest statements to include hypothetical situations and potential conflicts; when is it necessary to recuse? • Qualified immunity • Governance and application • Members sending questions in 	

		<p>advance of the meeting</p> <ul style="list-style-type: none"> • Consider a panel of members • This 90-minute training is planned for August 2021. • Members requested that N. Kalfas submit a proposal which is to be reviewed at the February 2021 Executive Committee meeting. 	
16.	Treasurer's Report	Treasurer A. Oertwich provided the year-end budget report. The NCSBN-funded NLC budget was 36% (\$241,000) under budget due to decreased travel, meetings and conferences related to the pandemic.	
17.	Member Updates and Open Discussion	A member suggested providing education on federal exemption related to nurses who only need to hold one license.	
	ADJOURN	The meeting adjourned at 12:24pm CT on Dec 17, 2020.	