



FINAL 9/2/19

MINUTES  
 NLC Executive Committee  
 Teleconference  
 July 9, 2019  
 2:00 PM Central

Committee Members:

S. Tedford, AR, Chair	Present
S. Pfenning, ND, Vice-Chair	Present
A. Oertwich, NE, Treasurer	Present
J. Baker, FL, Member-at-Large	Present
K. Glazier, OK, Member-at-Large	Present
P. Johnson, MS, Member-at-Large	Present

Others Present:

Karen Lyon, LA-RN  
 Carol Moody, SC  
 Joey Ridenour, AZ  
 Brett Thompson May, General Counsel, MS  
 Adrian Guerrero, KS  
 Amy Fitzhugh, General Counsel, NC

Staff Present:

J. Puente, Director, NLC  
 M. Bieniek, Sr. Coordinator, NLC  
 Nur Rajwany, CIO  
 R. Fotsch, Director, Legislative Affairs

#	Agenda Item	MINUTES
1.	a) Call to Order (Tedford) b) Roll Call (Bieniek) c) Declare Quorum Present (Tedford) d) Adopt Agenda (Tedford)	<ul style="list-style-type: none"> <li>Chair S. Tedford called the meeting to order at 2:03 pm.</li> <li>All members were present.</li> <li>Chair S. Tedford declared a quorum present.</li> </ul>
2.	Approve Executive Committee Meeting Minutes of May 2, 2019	<ul style="list-style-type: none"> <li>A. Oertwich moved to approve the minutes as written and K. Glazier seconded. The motion carried.</li> </ul>

3.	Legislative Affairs Update (Fotsch)	<ul style="list-style-type: none"> <li>• MA: Bill is pending, but not much going on over the summer. The hospital association is very engaged.</li> <li>• PA: Bill has been filed in PA. NCSBN hired a lobbyist and we are hopeful for Committee hearing in September.</li> <li>• MI: Bill is still pending. The bill did make it out of first committee. Still expect more movement in fall of 2019.</li> <li>• NJ: Still waiting on governor to sign. He has 45 days to sign.</li> <li>• VT: NCSBN is working on survey with VT to send out to their nurses and it will be going out in next couple of weeks.</li> <li>• GU: All efforts mainly focused in ORBS area. Nothing about NLC legislation yet, other than that they still plan to do it.</li> <li>• WA: Good developments in WA. Able to secure the same sponsor who sponsored nursing unions rest break bill and was able to pass it.</li> </ul>
4.	Policy Committee Report (Puente)	<p>The Policy Committee met in July for their first meeting. Policies the committee is charged with drafting include</p> <ul style="list-style-type: none"> <li>• Conflict of Interest (Adrian G and Pam Zickafoose)</li> <li>• Non-payment of Dues (Amy Fitzhugh)</li> <li>• Deciding Election Ties by Lot (Joe Baker and Amy F)</li> <li>• Advisory Opinion (Pam Zickafoose, Adrian Guerrero)</li> <li>• Committee Composition terms and duties (Amy Fitzhugh, Jim Puente)</li> </ul> <p>Committee member names in parens above volunteered to draft the respective policies.</p> <p>The Committee is also reviewing the former NLC policy manual for additional recommendations to be made to EC for other areas where policies may be needed.</p> <p>The Policy Committee will provide additional updates at the annual meeting.</p>
5.	<p>Rules Committee Report (Puente)</p> <ul style="list-style-type: none"> <li>• Rules Committee recommends there be a legal analysis comparing NLC and APRN compact to determine any conflicts that may exist and potentially affect current or future rulemaking.</li> <li>• Rules Committee would like to share proposed rule 408:  <b>408. FACTORS IN DETERMINING WHETHER A MISDEMEANOR</b></li> </ul>	<p>Brett Thompson May, Chair of Rules Committee reported that Rules Committee met on July 25-26 and had a very productive meeting.</p> <p>Rules Committee shared proposed rule 408.  <b>408. FACTORS IN DETERMINING WHETHER A MISDEMEANOR OFFENSE RELATES TO THE PRACTICE OF NURSING:</b></p> <p>(1) <i>the nature and seriousness of the misdemeanor offense as it relates to the practice of nursing;</i>  (2) <i>the extent to which a license offers an opportunity to engage in further criminal activity of the same type as that in which the applicant or licensee previously had been involved;</i>  (3) <i>the relationship of the misdemeanor offense to the ability or capacity required to perform the duties and discharge the responsibilities of a nurse.</i></p>

	<p><i>OFFENSE RELATES TO THE PRACTICE OF NURSING:</i></p> <p>(1) <i>the nature and seriousness of the misdemeanor offense as it relates to the practice of nursing;</i></p> <p>(2) <i>the extent to which a license offers an opportunity to engage in further criminal activity of the same type as that in which the applicant or licensee previously had been involved;</i></p> <p>(3) <i>the relationship of the misdemeanor offense to the ability or capacity required to perform the duties and discharge the responsibilities of a nurse; and</i></p> <p>(4) <i>a correlation between the elements of the misdemeanor offense and the specific duties and responsibilities of a nurse.</i></p> <ul style="list-style-type: none"> <li>• Should Rules Committee draft proposed rule related to question, “Should an encumbered APRN Prescriptive Authority impact the multi-state status of the underlying RN license? Does the ULR disqualifier make the licensee ineligible for a MSL.” Suggest gathering of data before decisions made.</li> <li>• Legal FAQ Review <ul style="list-style-type: none"> <li>- URL related to Foreign Educated Nurses</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• A. Fitzhugh suggested adding this to Policy as a form of guidance for Commissioners. Joe Baker recommended to have it read: 408. FACTORS IN DETERMINING WHETHER A MISDEMEANOR OFFENSE RELATES TO THE PRACTICE OF NURSING <b>INCLUDE BUT ARE NOT LIMITED TO:</b> Joe Baker moved to defer this item to the Policy Committee. Ann Oertwich seconded. The motion carried.</li> <li>• In terms of the question, “Should Rules Committee draft proposed rule related to question, “Should an encumbered APRN Prescriptive Authority impact the multi-state status of the underlying RN license? Does the ULR disqualifier make the licensee ineligible for a MSL” the Rules Committee determined more data was necessary.</li> <li>• The Executive Committee reviewed the redlined changes of the Legal FAQs. The following determinations were made: <ul style="list-style-type: none"> <li>- Agreed disposition to be added to “definitions” section of Rules. Phyllis made motion to include in definition of</li> </ul> </li> </ul>
--	--	---

	<ul style="list-style-type: none"> <li>- Definition of Agreed Disposition (also add to Definition section of Rules)</li> <li>- Review revisions to FAQs</li> </ul> <ul style="list-style-type: none"> <li>• Discuss need for Member-Dial-In</li> </ul>	<p>Rules. Ann Oertwich seconded, Motion carried.</p> <ul style="list-style-type: none"> <li>- In terms of question 9 related to CBCs it was determined J. Puente will refine response.</li> <li>- In terms of question 13, all changes made by Rules Committee were accepted.</li> <li>- In terms of question 14, all changes made by Rules Committee were accepted.</li> <li>- In terms of question 17, S. Pfenning made a motion to defer the FAQ related to Credentials Evaluation report to rules committee for consideration to add to Rules. K. Glazier seconded. Motion passed.</li> <li>- In terms of question 18, addition of this question to FAQ was accepted. The language was changed to read “Must a compact state consider adverse action taken in both compact and non-compact states when making a determination to issue a <i>multistate</i> license.”</li> </ul> <ul style="list-style-type: none"> <li>• In terms of the member-dial in it was determined that there is currently no need for a member-dial in during the Rules Committee meeting.</li> </ul>
6.	Review Advisory Opinion on topic of impact of Social Violations (Masters)	<ul style="list-style-type: none"> <li>• This item has been deferred to another meeting. K. Glazier moved to defer this to the September Executive Committee meeting. P. Johnson seconded. The motion carried.</li> </ul>
7.	Annual Meeting Governance Training Update (Puente)	<ul style="list-style-type: none"> <li>• Jim Puente reported that staff has contracted with Mark Engle for governance training. It is the same consultant utilized by NCSBN for BOD governance training. M. Engle will be available during the NLC Commissioner Annual meeting from 9:15 until 11:30 or 12 pm.</li> <li>• Mark Engle requires that members be seated in round tables- seating arrangements will change. The head table for the Executive Committee will be in place for the business portion of the meeting following the governance training.</li> <li>• Mark will have reading assignment for Commissioners in advance and an online evaluation will follow.</li> </ul>
8.	Focus Group Duplicate Multistate License Report	<p>Focus group was brought together to talk about amendments to the report as to whether or not we can find a way to eliminate one of the two multistate licenses electronically and only have on the report the multistate license that needs to be made inactive.</p> <p>There were approximately 13 different staff from different states along with Nursys staff participating on call.</p> <p>The changes that were made include:</p> <ul style="list-style-type: none"> <li>- The report will continue to have two lines showing both</li> </ul>

		<p>states.</p> <ul style="list-style-type: none"> <li>- There were a few columns unnecessary #1. Created date. #2. The multistate/single-state column. #3. They asked for a filter to be able to sort by current licensure date column.</li> <li>- When you click on sending speed memo it shows up on log and logs speed memo sent whether you sent it or not. This will be reconfigured so that is based on who actually initiates and sends a speed memo.</li> <li>- These changes will be asked to be made by the Nursys team.</li> <li>- A follow up focus group will occur in the next few months.</li> <li>- Changes requested will be move forward. Kim made a motion to move forward with changes. Ann Oertwich seconded.</li> </ul>
9.	Annual Meeting Agenda	All agenda items to be sent to Maggie and Jim
10.	Open Dialogue (All)	No additional items to be discussed. K. Glazier made motion to adjourn meeting. S. Pfenning seconded.
	<b>ADJOURN</b>	Meeting Adjourned at 3:27 pm.