



Commission Executive Committee

September 2-3, 2020

9:00 am CT (September 2)

9:00 am CT (September 3)

Members Present:

- K. Glazier, Chair (OK)
- S. Pfenning, Vice-chair (ND)
- A. Oertwich, Treasurer (NE)
- J. Ridenour, Member-at-Large (AZ)
- J. Baker, Member-at-Large (FL)
- P. Zickafoose, Member-at-Large (DE)
- P. Johnson, Member-at-Large (MS)

Others:

- M. Bieniek, senior coordinator, NLC
- R. Fotsch, associate director, Legislative Affairs and Advocacy, NCSBN
- D. Kappel, director, Marketing and Communications, NCSBN
- R. Masters, special counsel
- J. Puente, director, NLC
- B. Thompson May (MS)
- N. Rajwany, CIO, NCSBN
- A. Johnson, senior business analyst, NCSBN

#	Agenda Item	Discussion	Action
1.	<ul style="list-style-type: none"> a) Call to Order b) Roll Call c) Declare Quorum Present d) Adopt Agenda 	<p>K. Glazier called the meeting to order at 9:04 am CT.</p> <p>All members were present. Glazier declared a quorum.</p>	<p>P. Zickafoose moved to adopt the agenda and P. Johnson seconded. The motion carried.</p>
2.	<p>Executive Committee (EC) Draft Meeting Minutes of May 26, 2020</p>	<p>Corrections:</p> <ul style="list-style-type: none"> • Item 10 needs to say the motion carries in the first bullet. • Oertwich needs first initial in the same agenda item. 	<p>J. Baker moved to adopt the minutes as corrected of May 26, 2020 and J. Ridenour seconded. The motion carried.</p>
3.	<p>Rules Committee Report</p> <ul style="list-style-type: none"> a) Update re: Legal FAQs b) Future Work of Rules Committee 	<p>B. Thompson May provided the Rules Committee report.</p> <p>A subcommittee was formed to do a comprehensive review of the legal FAQs. FAQs were grouped according to topic. A flow chart is under development.</p>	

		J. Ridenour reported that Commissioners will be requested to have new draft legal FAQs reviewed by their legal counsel for feedback and questions. A rules handbook is also being suggested to help members understand the rulemaking process.	
4.	<p>Policy Committee Report</p> <p>1. Review Draft Policies:</p> <p>a) Policy 5.1- Conducting Investigations</p> <p>b) Policy 5.2- Obtaining Records in Another Party State and Policy 5.5- Obtaining Factual Findings</p> <p>c) Policy 4.2- Utilization of the NLC Audit Report Comment Field in NURSYS on the Discipline Tab</p> <p>d) Review NLCA Policy Manual</p> <ul style="list-style-type: none"> • 5.4 – Monitoring of Licensees Under Discipline (recommend to discontinue) • 5.6- Current Significant Investigative Information (recommend to merge) 	<p>P. Zickafoose provided the Policy Committee report. Policy 5.1: Conducting investigations: revisions were made.</p> <p>Policy 5.2: Obtaining Records in Another Party State: corrections were made. Policy 5.5- Obtaining Factual Findings: corrections were made.</p> <p>Policy 4.2- Utilization of the NLC Audit Report Comment Field in NURSYS on the Discipline Tab: minor corrections were made.</p>	<p>J. Baker moved to approve sending to the full commission draft Policy 5.1 with corrections and P. Johnson seconded. The motion carried.</p> <p>J. Ridenour moved to approve sending to the full commission draft Policy 5.2 as corrected and J. Baker seconded. The motion carried. A. Oertwich moved to approve sending to the full commission draft Policy 5.5 as corrected and S. Pfenning seconded. The motion carried.</p> <p>J. Baker moved to approve sending to the full commission draft Policy 4.2 as corrected and P. Johnson seconded. The motion carried.</p> <p>J. Baker moved to recommend that former policy 5.4 is not necessary because it is already included in statute and A. Oertwich seconded. The motion carried.</p> <p>J. Ridenour moved to table consideration of former Policy 5.6 and S. Pfenning seconded. The motion carried.</p>

	<p>into Nurse Alert Policy where appropriate)</p> <ul style="list-style-type: none"> • 5.7- Cease and Desist (recommend to discontinue) • 6.1- Self-Assessment of Compliance (recommend to put on hold pending 6.2) • 6.2- Compliance Audits (recommend to refer to Compliance Committee) • 6.3- Dispute Resolution Process- Informal: Mediation and Arbitration (recommend to keep) • 6.4- Non-Compliance and Enforcement (recommend to keep) 	<p>The flowchart which accompanies Policy 6.3 can be revised to reflect the current relevant rule.</p>	<p>J. Baker moved to recommend that former policy 5.7 is not necessary because it is already included in statute and K. Glazier seconded. The motion carried.</p> <p>A. Oertwich moved to table former policies 6.1-6.2 pending future work by the Rules Committee and P. Johnson seconded. The motion carried.</p> <p>K. Glazier moved to refer the flowchart to the Rules Committee for review so that it can be used as an educational document and J. Ridenour seconded. The motion carried.</p> <p>A. Oertwich moved to table Policy 6.4 until there are related rules and J. Baker seconded. The motion carried.</p>
5.	Legislative Update	<p>R. Fotsch provided the legislative update.</p> <p>States with pending legislation:</p> <ul style="list-style-type: none"> • Michigan: strategy is to pass the bill out of legislature (currently on recess) with only Republican votes. There is union opposition. 	

		<ul style="list-style-type: none"> • Massachusetts: were not able to get NLC attached to the final COVID bill. Next step is to have NLC analyzed by the health policy committee which is independent of the legislature. A report will be published. • Ohio: do not anticipate the bill will pass this year. • Pennsylvania: legislature on recess currently. Unions are opposed. Republicans control both chambers. • Vermont: legislature is back in session. Movement is expected. <p>2021 Legislation expected:</p> <ul style="list-style-type: none"> • Illinois: More interest from hospital systems in Illinois. • Alaska: Bill died in 2020 when COVID started. Opposition was Senate President. NLC supported by the AK BON and governor's office. Hoping to get a bill introduced in 2021. • Washington: There is union opposition. Working with a coalition. • Nevada: Will be filing a bill in 2021. • Guam: When a committee hearing will be scheduled is unknown. 	
6.	Agenda Topics for Dec. Joint Meeting with NCSBN BOD	<p>Potential topics identified were:</p> <ul style="list-style-type: none"> • Nurse Alert • How is the APRN Compact going to play out? What's it going to look like? • Budgetary Discussion and MOU revisions: continued discussion; see Bylaws • Independence vs. Interdependence • Clear communication between the two entities • Ways to collaborate; explore 	

		avenues of collaboration between the two organizations.	
7.	Future Governance Training for 2021	<ul style="list-style-type: none"> • S. Pfenning reported that Midyear meeting is virtual. • One option is to defer the training to annual meeting 2021 when the training may possibly be in person. • Request N. Kalfas to join December meeting to discuss 2021 governance training. • One idea is to present the future rules handbook at a training. • Masters suggested discussing federal legislation which may create another path to licensure. 	
8.	2021 Executive Committee Meeting Dates	Members reviewed and discussed the proposed meeting dates.	J. Baker moved to defer to Chair for coordination of the Dec 2020 meeting and to approve all other dates and S. Pfenning seconded. The motion carried.
9.	Frequency of Cash Balance Reporting		P. Zickafoose moved to request the cash balance reports at midyear and annual meeting and A. Oertwich seconded. The motion carried.
10.	<p>Technology Task Force Update</p> <ul style="list-style-type: none"> • Revision to the existing ATD report in RAYF which adds a drop-down filter. • Two new ATD reports for RAYF. • New 4th report: shows MSLs which are under discipline for a given state. 	<p>N. Rajwany, A. Johnson and J. Lingwai participated in the presentation of the information on new and enhanced Nursys reports.</p> <ul style="list-style-type: none"> • Speed memo enhancement: automatically alert NLC states when licensee has MSL IN another state when licensee enters ATD program. • License assigned to ATD report: add a filter on compact status. Drop down 	P. Zickafoose moved to proceed with development of the reports and enhancements and J. Ridenour seconded. The motion carried.

		<p>provides all licenses or single state licenses only or MSL only.</p> <ul style="list-style-type: none"> • My active MSL license with ATD elsewhere report: identifies my licensees who have active mL In my state who are in an ATD program in another jurisdiction. • ATD added to license report: this is an audit report. Identifies my licenses that had ATD added by my state within a date range. • My active MSLS with my discipline report. Displays licenses that were not cleared with 1280 or auto-reinstatement. 	
11	TREAT Act	<p>Puente provided background information on the TREAT Act. Masters provided a synopsis of the TREAT Act and the conflicts with the NLC which exist in the bill as well as language added to the bill which exempts compacts. Multiple paths by which a practitioner will be able to practice across state lines will be problematic and confusing. There was a suggestion that the information in Masters' memo may also benefit non-compact states.</p>	<p>J. Baker moved to accept Masters' memo for distribution and J. Ridenour seconded. The motion carried.</p>
12.	Meeting with NCSBN Marketing Communications Director Regarding Review of Draft NLC Marketing Plan	<p>D. Kappel provided a synopsis of the marketing plan she developed for NLC. Some highlights include:</p> <ul style="list-style-type: none"> • More virtual presence than physical due to the current environment • Enhanced social media • January will be NLC month • Continue testimonial stories 	<p>P. Zickafoose moved to approve the marketing plan as presented and J. Baker seconded. The motion carried.</p>

		<ul style="list-style-type: none"> • Target legislators and legislatures with print ads and webinars • Will be able to track social media and NLC mentions in articles 	
13.	Duplicate Multistate License Percentage	Puente described a proposed new way to calculate the duplicate multistate licenses based on consultation with R. Smiley. The new calculation would display the number of licenses that a state needs to deactivate based on being the state that is the former Primary State of Residence. This method eliminates a percentage and indicates the true number of licensees a state may need to deactivate.	J. Ridenour moved to change to the new methodology for calculating duplicate multistate licenses and J. Baker seconded. The motion carried.
14.	NLC Strategic Plan Update a) Review Progress b) Review Strategic Plan Graphic	<ul style="list-style-type: none"> • Puente, Glazier and Bieniek discussed the history and milestones of the strategic plan development, the delineation of fiscal years in the plan, progress report interpretation and reporting intervals. • Members appreciated the level of detail provided in the Excel spreadsheet version of the progress reporting. • The Commission will receive a progress report at its October 2020 meeting. • Members reviewed options for a graphic for strategic plan initiatives and selected Option D. 	
15.	Discuss Committee Charges and Suggestions Made by Committee Members	Members agreed that committee should limit work to the approved committee charges. If the committee takes on additional work, it will deviate from the priorities identified in the strategic plan. Suggestions by committee members for	

		additional committee work may be considered in a subsequent fiscal year of the strategic plan.	
16.	Nominations to Executive Committee	Members were presented with the candidate slate. The slate was sent to Commissioners on Sept 1. Voting will be the last 10 days of Sept per the Bylaws. Results will be announced Oct 1.	
17.	Member Updates and Open Discussion	<ul style="list-style-type: none"> • A member asked about the status of NLC implementation in NJ. • A member reported that their state is transitioning to a new licensure management system. 	
18.	Executive Session: (Closed) Pursuant to Article VII (b)(5)(iii) Current Threatened or Reasonably Anticipated Litigation		<ul style="list-style-type: none"> • Oertwich moved to go into executive session at 11:08 am CT and P. Zickafoose seconded. The motion carried. Legal counsel certified the executive session. • J. Baker moved to end the executive session at 12:41 pm CT and P. Zickafoose seconded. The motion carried. • J. Baker moved to direct legal counsel to answer the question submitted by the GA Board of Nursing and A. Oertwich seconded. The motion carried.
		The meeting adjourned at 12:43 pm CT.	