

**Kansas State Board of Nursing
Landon State Office Building
Board of Nursing Library, Room 1051
Investigative Committee Minutes**

December 9, 2019

TIME: 9:06 a.m. – 12:05p.m.

Committee Members: Jo Klaassen, RN, MN, JD, Chair
Rebecca Sander, MSN, RN, V. Chair
Julianna Rieschick, RN, MSN, NEA-BC
Tracie Mattivi Thomas

Staff: Carol Moreland, MSN, RN, Executive Administrator
Linda Davies, BSN, RN, Practice Specialist
Amanda Huguenin, Administrative Specialist

Call to order: Jo Klaassen called the general session of the Investigative Committee to order at 9:06 a.m.

Review onsite packet: There was no onsite packet.

Additions/revisions to agenda: Addition of possible Executive Session at the end of the meeting on Tuesday, December 10, 2019.
Motion #1 Sander/Thomas adopted.

Announcements: Tracie Mattivi Thomas was introduced as the newest Investigative Committee member.

Minutes: The minutes of the September 9 and 10, 2019 meetings were reviewed. It was moved to approve the minutes from the September 9 and 10, 2019 Investigative Committee as amended.
Motion #2 Sander/Rieschick adopted.

Complaints/concerns: L. Davies shared that we had 264 new cases in the last quarter. Opened between July 1, 2019 to September 30, 2019.

Unfinished Business:

IPP Contract Update: J. Klaassen deferred this to the end of the meeting on Tuesday, December 10, 2019, in an Executive Session.

Change in retention of Investigative Files Update: C. Moreland reported that scanning has started on files. Asked if a file is too old if they can be destroyed instead of scanned? W. Skepnek said he would look to see if there are any statutes on retention.

C. Moreland reported that KSBN was approved for a grant for scanning. Discussing options of hiring a temp worker to scan or go through a vendor to scan.

Update on processing applications relating to MSL Ineligibility:

L. Davies shared with the Committee the new letter that is sent to applicants who do not meet the requirements for a MSL.

Update on Setting Priorities and Assignment of Investigative Cases:

L. Davies shared with the Committee the new complaint form that is now available online. J. Klaassen asked if anonymous complaints are still accepted. L. Davies said yes, still will accept anonymous complaints. J. Rieschick asked to be able to submit the complaints online. L. Davies said that we are in the process of being able to do that. It was mentioned the complaint form should be forwarded to KHA and Long Term Care to be put in their newsletter.

J. Rieschick mentioned that some HR/RM are just sending nurses to KNAP and not reporting any infractions to KSBN as it can take a long time to get cases through. L. Davies mentioned the nurse alert on NURSYS and that if we don't know a nurse is in KNAP we can't put the alert on. Can Investigators or Professional Review refer a nurse to KNAP before the case gets to Committee?

L. Davies shared about action in another state notices we receive from NURSYS. If a nurse does not have an active Kansas license nor an active MSL the action is noted in MyLo and no case is opened. The question was presented to the Board of if an application is received with past misdemeanor charges how far back Investigators must go to open a case. A motion was made that we may not open investigative cases on any application with misdemeanors that are more than 10 years old.

Motion #3 Rieschick/Sander adopted.

New business:

Process Concerns:

The current False/Inaccurate Policy is from 2009. C. Moreland and L. Davies will draft a new policy and bring it to the March 2020 Committee Meeting.

Quasi-judicial session:

It was moved that the meeting of the Investigative Committee be closed to deliberate on matters relating to

decisions involving the exercise of quasi-judicial functions as authorized by K.S.A. 2013 Supp. 75-4318(g)(1).
Motion #4 Sander/Thomas adopted.

The committee recessed at 4:30 p.m.

The committee reconvened on December 10, 2019 at 8:30 a.m.

The committee returned to open session at 12:05 a.m.

J. Klaassen said that there will be no Executive Session.

It was moved that the Committee find that reasonable grounds exist for believing the applicant or licensee is guilty of violating the Kansas Nurse Practice Act in the following cases and that those cases be continued for further proceedings conducted in accordance with the provisions of the Kansas Administrative Procedure Act.
Motion #5 Sander/Rieschick adopted.

It was moved that the Committee find the following cases be closed for the reason that no action is needed.
Motion #6 Rieschick/Thomas adopted.

It was moved that the Committee approve, by consensus the case dispositions represented on the spreadsheet titled "New Grads" with conviction and/or disciplinary action.
Motion #7 Thomas/Sander adopted.

It was moved that the Committee approve, by consensus, the case dispositions represented on the spreadsheet titled "Reinstatement Applications for Ratification".
Motion #8 Thomas/Rieschick adopted.

It was moved that the Committee approve, by consensus, the case dispositions represented on the spreadsheet titled "False Information".
Motion #9 Thomas/Sander adopted.

It was moved that the Committee approve, by consensus, the case disposition represented on the spreadsheet titled "Endorsement Application for Ratification".
Motion #10 Thomas/Rieschick adopted.

It was moved that the Committee approved, by consensus, the case disposition represented on the spreadsheet titled "Unlicensed Practice".
Motion #11 Thomas/Sander adopted.

It was moved that the Committee approve by consensus the case dispositions represented on the spreadsheet titled “CNE for Ratification”.

Motion #12 Sander/Rieschick adopted.

It was moved that the Committee approve, by consensus the case dispositions represented on the spreadsheet titled “Inactivated by Staff”.

Motion #13 Sander/Thomas adopted

Adjourn

I move to adjourn the December 9-10 meeting of the KSBN Investigative committee.

Motion #14 Sander/Thomas adopted.

JoAnn Klaassen, RN, MN, JD, Chair

Date