

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

September 9, 2019

TIME: 8:59 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

Staff: Carol Moreland, MSN, RN, Executive Administrator
Linda Davies, BSN, RN, Education Specialist
Jill Simons, Executive Assistant
Amanda Huguenin, Administrative Specialist

Call to order: Jo Klaassen called the general session of the Investigative Committee to order at 8:59 a.m.

Review onsite packet: There was one item added to the onsite packet. The Setting Priorities and Assignment of Investigative Cases draft.

Additions/revisions to agenda: Addition of 5c, Applying for Conversion License when don't meet the 11 criteria.
Addition of G, Setting Priorities of Investigative Cases
Motion #1 Sander/Rieschick adopted.

Announcements: C. Moreland announced two new positions Amanda Huguenin as Administrative Specialist and Linda Davies as the new Practice Specialist.

Minutes: The minutes of the June 10 and 11, 2019 meetings were reviewed. The minutes were revised regarding wording reference lapsed license verses unlicensed practice. It was moved to approve the minutes from the June 10 and 11, 2019 Investigative Committee as revised.
Motion #2 Sander/Rieschick adopted.

Complaints/concerns: No complaints/concerns.

Unfinished Business:

IPP Contract Update: C. Moreland reported the contract is in progress.

New business:

Submitting Complaint forms electronically:

Deb Quintanilla spoke about the new complaint form she created.

The committee suggested adding DON and Supervisor fields, more patient information fields to the form. An updated form may be emailed to the committee for approval.

Need for sworn complaints:

Retention of Investigative Files:

C. Moreland met with the Historical Society reference keeping documents. Documents can be kept electronically and not on paper. Marilyn Nicol has started scanning.

According to the KNPA our files must be kept forever. The committee asked if the wording can be changed from forever to a set year? Does the KNPA or statute need to be changed? C. Moreland will research before the December Board Meeting.

Electronic format for Investigative Committee notebook:

C. Moreland asked if the committee would be willing to go paperless and receive the notebook electronically via their tablets.

At this time the committee members are not interested.

Process concerns:

a. Negligence vs. Gross Negligence

The Committee discussed the definitions between ordinary negligence and gross negligence

- o Ordinary - Had a duty but didn't do it
- o Gross – Careless on purpose, should've known harm could happen

b. Processing apps with pending investigation

The Committee stated according to the AAGs we are to look at a Conversion application the same as a Renewal application. To grant even if have an on-going investigation. We can't deny if meets all 11 criteria.

c. If don't meet all 11 criteria

- o The Committee stated that the nurse applicant will not get their money back for the application.

- The application will be marked ineligible for a multi-state license and sent back to the applicant.
- If endorse in and don't qualify the nurse needs to submit and pay for a single state application
- C. Moreland and L. Davies will review policy and procedure for the December meeting

Setting Priorities and Assignment of Investigative Cases:

C. Moreland brought a question to the board reference how we categorize complaints. As most get categorized as a 2 we need to review how we categorize the 2. Also, the 4s are lapsed and do not go to committee. The Committee brought up the concerns of inactivating cases of lapsed license who might have an out of state multi-state license. C. Moreland and L. Davies will review procedure for December 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 #3 Sander/Klaassen adopted.

The committee recessed at 5:00 p.m.

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

The committee returned to open session at 11:55 a.m.

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 #4 Rieschick/Sander adopted.

It was moved that the Committee approve by consensus the case dispositions represented on the spreadsheet titled "CNE for Ratification". Motion #5 Rieschick/Sander adopted.

It was moved that the Committee approved, by consensus, the case disposition represented on the spreadsheet titled "Unlicensed Practice". Motion #6 Sander/Rieschick adopted.

It was moved that the Committee approve, by consensus the case dispositions represented on the spreadsheet titled "Inactivated by Staff". Motion #7 Sander/Rieschick adopted

It was moved that the Committee approve, by consensus, the case disposition represented on the spreadsheet titled "Endorsement Application for Ratification".

Motion #8 Rieschick/Sander adopted.

It was moved that the Committee find the following cases be closed for the reason that no action is needed.

Motion #9 Sander/Rieschick adopted.

It was moved that the Committee approve, by consensus, the case dispositions represented on the spreadsheet titled "Reinstatement Applications for Ratification".

Motion #10 Rieschick/Sander adopted.

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 #11 Sander/Rieschick adopted.

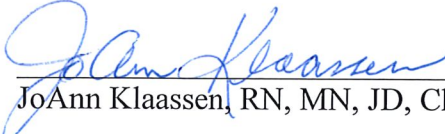
It was moved that the Committee approve, by consensus, the case dispositions represented on the spreadsheet titled "False Information".

Motion #12 Rieschick/Sander adopted.

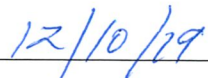
Adjourn

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

Motion #13 Sander/Rieschick adopted.



JoAnn Klaassen, RN, MN, JD, Chair



Date