



**Washington State Board of Nursing
Discipline Sub-committee Agenda
August 15, 2023 **MINUTES**
3:30 pm to 5:30 pm**

Join the Meeting
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United States: +1 564-999-2000
Conference ID: 478 294 276#

Committee Members: Adam Canary, LPN, Chair
Sharon Ness, RN *absent*
Tiffany Randich, RN
Tracy Rude, LPN ad hoc *absent*
Dawn Morrell, BSN, RN, CCRN
Quiana Daniels, GCertHealthSc, BS, LPN
Judy Loveless-Morris, PhD, public member
Pro Tem #1 and #2

Staff: Catherine Woodard, Director, Discipline and WHPS
Karl Hoehn, JD, Assistant Director, Discipline - Legal
Grant Hulteen, Assistant Director, Discipline – Investigations and WHPS
Teresa Corrado, LPN, Assistant Director, Discipline – Case
Management/HELMS, ad hoc *absent*
Rena Powell, Case Manager
Barb Elsner, HSC
Margaret Holm, JD, RN ad hoc *absent*
Mary Sue Gorski, PhD, RN, ARNP, Director, Research ad hoc
Lynn Batchelder, Investigations supervisor, ad hoc
Emma Cozart, Research

1. **3:30 pm opening – Adam**
 - Call to order – digital recording announcement
 - Roll call
2. **June 20, 2023 Minutes– Adam**
 - In draft format until WABON approves at the September 2023 business meeting.
 - Approved to move forward.
3. **Performance measures – June and July 2023 - Grant, Karl**
 - Investigations - Grant provided highlights. 425 cases opened in June, fewer than 400 opened in July. Completing more than opening at CMT. Two newer investigators still learning.
 - Legal – Karl provided highlights. Fiscal year roll-up. Average caseload has increased. Now down one attorney with Sarah Bendersky’s retirement.
 - WHPS – Grant provided highlights. 226 participants. Down from last year. Doing well with performance measures. Non-compliance report, graduation report. 77% employment rate for in-state participants.
 - SUDRP – Grant provided highlights. Charts tell the stories.
4. **Discipline Trend Reports – Grant, Karl**
 - Presented every six months to show trends in discipline.
 - Grant reviewed the case management trend chart; cases reviewed at CMT are going up. Investigator caseloads, investigations completed per investigator. Nearing the timeline on performance measures.
 - Karl discussed the trend charts for legal. Slight trend upward in drafting time. Same rough number for ARNPs on the caseload. Total finalized cases are holding steady, but we have more cases during this reporting time.

- WHPS graphics - Grant highlighted the charts. Referral contracts are the main reason most nurses are in WHPS.

5. **Discipline Data Dashboard - preliminary draft – Dr. Gorski and Emma Cozart**

- A demonstration of discipline data presented in an interactive format intended for public use.
- The goal is to increase access to nursing discipline data on our website.
- Mary Sue introduced the topic. Emma showed the four pages of disciplinary info taken from ILRS. Comparison of disciplinary actions by license type; actions completed this year; actions taken by nature of allegation; action taken by proven issues. Power BI filters the info when you hover over it. Similar page for complaints received: ratio of actions to complaints in a year; resolution of complaints; by licensure. Active number of nurses at the time of the report. Data goes back four years. Looks at trends over time. Workforce data: demographics. Age; years of licensure; education; license type. Karl asked about diploma nurses re: is it the age of nurses or the fact that more diploma nurses get disciplined? Diploma nurses aging out. Emma: snapshot in time. Employment data: employment setting; average hours worked per week. Lynn asked if they can see who's generating the complaint? Karl: more complaints from LTC because of DSHS mandated reporting. Mary Sue: the compliant process is not identified, but they can capture the info if the agency is identified. Last page (page 5): disciplinary action taken and STIDS as reported on Provider Credential Search (PCS). Last page is information on the data page. Grant: does this include referral contracts and ER cases? Karl: not public information. Unless there is an order or STID. Next steps? Refine and then post. Info for the WABON. Present at the November meeting? Yes.

6. **Updates on Florida schools investigations – Lynn, Karl**

- Snapshot of cases pending Lynn: Eleven in investigations, including one that an employer recognized on a MSL. Five cases from action in another state. Karl: 65 in case disposition. Legal groups them by schools and has the expert work on each school. The applications take longer than rescinding the licenses. Finding some that are not truly fraudulent, but not the best nursing program. Two attorneys are handling the cases. Lynn: word out that WABON has an easy pathway to licensure because we allow unlimited testing. Karl: should we pursue rules to limit the number of times people can take the NCLEX? Should be the Education and Licensing Subcommittees. Lynn discussed test anxiety. Quiana: the NextGen NCLEX is producing a lot of anxiety. Not a good time to reduce the number of times you can take it.
- Other states and NCSBN CCW: notices from NCSBN and monthly calls. Dawn asked about the impact of the compact. We are aware of one employer who checked the MSL against the list on our website and reported it to WABON, now in investigation.

7. **Procedure Revision – A21 Licensing Requirements**

- Aligning with the Nursing Licensure Compact (NLC) legislation.
- A felony conviction will disqualify an applicant from obtaining a multi-state license. A misdemeanor conviction which the board determines is related to nursing practice will also disqualify an applicant.
- CCW and Karl discussing; reviewing Addendum 1 and bringing up the issues of what crimes we may use as disqualifiers. Should we be looking at full criminal background? The applicant already is required to provide the court documents.

- The question before the DSC is to regroup and consider the addendum for revisions. Adam would like to spend more time on the procedure. Dawn depends on legal staff to decipher some of the issues at CMT. Karl pointed out that usually the facts are more important than the crime, and what has the nurse done since this time? Quiana: definitely need to look through the eyes of DEI. Historically, ethnic groups have more convictions and have paid their debt to society. Be mindful as we consider this particular issue. Lynn: looks at this regarding felonies more than ten years for some people that should never be taking care of others. Thinks legal staff should be the ones to consider criminal records, not licensing staff. CCW: we will bring this back in October.

8. Bill Implementation Updates – Catherine, Karl, Grant

- SB 5499 Nurse Licensure Compact (NLC) Karl updated with description of Phase 1 and Phase 2. Complaints, we make note of privilege to practice. Provider Credential Search and referral to the public side of NURSYS.
- HB 1255 WHPS Incentive and Stipend. Grant updated. Two parts to the bill: stigma and stipend. Working with IT to get the yes flag off PCS. Documents removed. Stipend: working on developing an application based on what other programs are doing. Will be asking for a little more money; working with HCA for insurance. Stipends will cover 80% of treatment, group sessions, testing for people who are in need. Working agreements with facilities to control costs. Must be in place in July 2024.

9. Work plan – Adam, Catherine

- WHPS strategic plan removed (sunset at end of biennium)

10. Public comment – Adam

- Limited to two minutes per speaker
- None.

11. Anything for the good of the order? – all

- Refers to the portion of the agenda during which members may make statements or offer observations about the character or work of the subcommittee without having any particular item of business before the meeting.

12. Adjourn 1723.