



**Washington State Board of Nursing
Discipline Subcommittee **MINUTES**
December 19, 2023
3:30 pm to 5:30 pm
Adjourned 5:11 pm**

Committee Members: Sharon Ness, RN, Chair
Dawn Morrell, BSN, RN, CCRN
Quiana Daniels, GCertHealthSc, BS, RN, LPN
Judy Loveless-Morris, PhD, Public Member - Absent
Tiffany Randich, RN, Pro-Tem – Excused
Michelle Dedeo DNP, ARNP-CNS, ACCNS-AG, CCRN, CNRN, SCRNM, Pro-Tem
Molly Altman, PhD, CNM, MPH, FACNM, Pro-Tem
Tracy Rude, LPN, Pro-Tem, ad hoc

Staff: Catherine Woodard, Director, Discipline and WHPS
Karl Hoehn, JD, Assistant Director, Discipline - Legal
Grant Hulteen, Assistant Director, Discipline – Investigations and WHPS
Barb Elsner, HSC
Holly Palmer, HSC
Margaret Holm, JD, RN, ad hoc
Bonnie King, Policy Analyst, ad hoc
Jeff Lippert, Attorney, ad hoc

1. **3:30 pm opening – Sharon**
 - Call to order – digital recording announcement
3:35 pm opening
 - Roll call of board members and staff – Sharon and Catherine
 - Introduction of new Pro-Tems
2. **October 24, 2023 Minutes– Sharon**
 - In draft format until WABON approves at the January 2024 business meeting.
Consensus to move to January business meeting.
3. **Performance measures – October and November 2023 – Catherine, Grant, Karl**
 - Investigations – Grant
 - CMT reviewed 10% more cases, up to 208 from 189.
 - Opened 94, up from 72.
 - 149 completed; investigators completed an average of 7.4 cases/month.
 - Legal – Karl
 - Investigations coming down; all attorneys working a full caseload.
 - Legal Reviews are above timelines.
 - Drafting time has been going up.
 - Slightly under target for finalizing but working a lot of complex cases.
 - WHPS – Grant
 - Averaging 230 participants in the program.
 - 81% of the nurses are employed in nursing practice.
 - Meeting all performance metrics.
 - Noncompliance – 23 instances; summarized in packet.
 - Eight RNs graduated in the past two months.
 - SUDRP - Grant
 - Eleven cases presented in October/ November.
 - Two appearances, both graduations.
 - One action taken for discharge and statement of charges issued for noncompliance.
 - Performance Measures - Catherine
 - Discipline has the most performance measures of WABON.
 - Mary Sue's group in research is really doing well with their data dashboards, which is what we are moving towards.
 - Asking members here what is most important to see at this meeting – Alison suggested compressing data to a one-page report for the business meeting.
 - Sharon – Would like to see more info on the topics/reasons for the complaints.
 - Tracy – Seem to remember that was being done in the past.
 - Margaret – ER uses pie charts to report.
 - Catherine – The key elements we collect at intake may not be the same when we get to the end of the investigation. The case nature sometimes morphs into other things than first reported.
 - Tracy – Maybe review six months at a time, twice a year.
 - Margaret – She is attending the CMT meetings for this purpose – currently breaking complaints down like TERCAP used to. The problem is that the beginning category is not always the end category.
 - Any other key elements (other than intake reason) you'd like to see?
 - Dawn – to what end is this wanted/needed?

- Margaret – For WABON’s full work, it’s more than just curiosity. It helps with determining what kinds of issues are turning up and how we can focus our presentations, etc.
 - Tracy – We kind of lump all the things together in the practice area – not aware of things being split up by type of facility, etc.
- Are the numbers of cases important?
 - Tracy – Open cases, yes.
 - Dawn – Feels it’s important to continue gathering, don’t want to be missing things; this data pulls all the parts of the board together into one place.
- Catherine – Holly will be working with Emma to get the data displayed more effectively.
 - Add every six months – the last six months at the February DSC meeting, and then again in August.
- Karl – When the pilot project started, there were some things we didn’t do in the beginning - like the performance measures.
 - Catherine – HSQA developed these in 2009 and we report on the at every subcommittee and business meeting.
 - HSQA used to prepare a comparison report between HSQA, WMC, and WABON. We stopped doing that a couple years ago. HSQA is very interested in the work we’re doing that makes us so efficient.
 - Will continue to collect data , although it may not all be presented.
- Karl – Legal group has baseline measures, but they don’t really reflect reality of today –discussion may be needed to consider modifying those baselines.
- Dawn – Appreciate the work that’s done.

4. **Bill Implementation and Rules Updates – Catherine, Karl, Grant, Jeff Lippert, Bonnie King**

- RCW 18.80 Nurse Licensure Compact (NLC). Projected to begin issuing multi-state licenses in January. – Karl presented update
 - Ongoing work. Ran into the issue that if an RN has a WA SSL and wants an MSL, the MSL has to have the same number as the SSL – IT worked through this and reached a solution. When a MSL credential is created, there is a workaround in the background that will make the SSL show up as MSL.
 - All changes have to be done through ILRS as a “band aid” and will be finalized through HELMS as well.
 - We should be able to issue the first MSL one on January 31, 2024. Quiana Daniels will receive the first MSL in the state of Washington.
 - The new fees go into effect by January 5th; hearing held, no objections, and CR103 filed.
- RCW 18.70.440 (SHB 1255) WHPS Stigma and Stipend program. Draft rule language for review. Jeff Lippert reviewed updated language.
 - The stigma piece of HB1255 involves removing documents from provider credential search – they can be removed, but it still has a flag for enforcement action; there is a solution for that that will be implemented (the prioritization was lowered due to the MSL issue) to remove the enforcement flag. This is an IT project.

- Adding a new WAC regarding distribution; 2 workshops w/ no substantial edits; on a fast track, due to be implemented July 2024; Jeff is asking us to approve the draft language to bring before the board in January – if board approves, we can move this forward to the CR102.
- Additional funding for the stipend program is NOT in the governor's budget; we still need the language because we never know what might happen in the legislative session. We do have \$25,000 to spend each year that the legislature allocated to the program.
 - Sharon – Requested interested parties meetings update. Grant said we had two meetings; one person attended each and both went well.
- Definition updates appear in -760.
- Presented updated version of draft language to -790 – updated verbiage; some language comes direct from the statute; reviewed all pieces of -790.
 - Dawn – Maybe consider using the \$25k to pay initial evaluations.
 - Grant – if we offered the eval it would save a lot if we could identify those who aren't qualified for the program.
 - Grant – still working on contracts with facilities for collections for testing.
- Consensus reached to move the rule language to the full board in January.

5. Procedure Review – Catherine, Karl

- A21 Licensing Criteria
 - This procedure originated in 1997. Now, under the NLC , we can't issue an MSL to anyone with a felony.
 - Karl – The MSL says no felony, ever. It also says that denials can be made based on misdemeanors that relate to the practice of the profession. In 2016, the commission delegated decision making authority to the FBI background staff; included a complicated chart with specific crimes and a timeline. That won't work under the compact.
 - The FBI background group requests fingerprinting of out-of-state people who are looking to get a SSL in WA.
 - Goal of the rewrite is to take away the delegation from HSQA and bring it back inhouse so the board can decide how to treat criminal convictions.
 - Karl reviewed draft language for the procedure with the group; flowchart and table removed.
 - Consensus reached to forward this to the January board meeting for full approval.

6. Work plan – Sharon, Catherine

- The last scheduled procedure revision is on this meeting agenda – as other things come to the surface, we will address them.
- Data collection from CMT regarding discrimination – Research had to wait for software to do analysis – it will be on February agenda.
- Semi-Annual performance measures will be on the February agenda.
- ER Program Review – Margaret will present the last two calendar years at the February meeting.
- Workplan not as robust as in the past but our work because we don't have an active part of the strategic plan this time, but work continues, and we will be adding DEI pieces; plan to meet with medical and potentially add some of their concepts to our work.

7. Public comment – Sharon

- Limited to two minutes per speaker – public provided the opportunity to speak.
- [No comment.](#)

8. 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.
- [No comments.](#)

9. Adjourned at 5:11pm