

PUBLIC MINUTES OF MAINE STATE BOARD OF NURSING

August 10, 2017

Hearings:

An Adjudicatory Hearing was held by the Maine State Board of Nursing at the Board Office, 161 Capitol Street in Augusta, on Thursday, August 10, 2017, regarding **Linda Gringeri, RN**. The hearing commenced at 9:00 AM with Rebekah Smith presiding as the Hearing Officer.

An Adjudicatory Hearing was held by the Maine State Board of Nursing at the Board Office, 161 Capitol Street in Augusta, on Thursday, August 10, 2017, regarding **Michael Boucher, RN**. The hearing commenced at 1:00 PM with Rebekah Smith presiding as the Hearing Officer.

Special Board Meeting:

A subcommittee meeting of the Maine State Board of Nursing, held at the Board Office, 161 Capitol Street in Augusta, on Thursday, August 10, 2017, was called to order at 8:40 AM by Valerie J. Fuller, DNP – Chair.

PRESENT: Valerie J. Fuller, DNP – Chair
Kathy McManus, RN
Stephanie Stimpson, RN
Gail Dudley, RN
Harvey Chesley, Jr.
Kim Esquibel, PhD, MSN, RN, Executive Director
Lauren LaRochelle, Assistant Attorney General
Katie Johnson, Assistant Attorney General (in at 11:50 AM)

ABSENT: Shannon Gauvin, RN
Peggy Soneson, RN

INFORMAL CONFERENCES

1. **(2017-97)** Licensee joined the meeting to discuss further her response to the Provider Report submitted by Southridge Rehabilitation & Living Center dated January 4, 2017.

Pursuant to 1 M.R.S. §405(6)(F), in a motion made by Valerie Fuller and seconded by Kathleen McManus, the Board voted unanimously to go into executive session to discuss information gathered by the Board staff, which information is confidential and not subject to access by the general public pursuant to 32 M.R.S. § 2105-A(1-A) at 10:58 AM.

At 11:21 AM, in a motion made by Valerie Fuller and seconded by Kathleen McManus, RN, the Board voted unanimously to return to open session.

In a motion made by Valerie Fuller and seconded by Stephanie Stimpson, the Board voted to defer a decision pending receipt and review of further information.

VOTE: Unanimously in favor

2. (2017-44) – RESCHEDULED**UNFINISHED BUSINESS**

1. **(2016-263) Jessie Meadows, RN** joined the meeting, via conference call, to discuss further her February 6, 2017 request to appeal the Board's October 24, 2016 Preliminary Denial of her October 5, 2016 Registered Professional Nurse Application for License Reactivation.

In a motion made by Valerie Fuller and seconded by Stephanie Stimpson, the Board voted to accept the Licensee's withdrawal of her Registered Professional Nurse Application for License Reactivation.

VOTE: Unanimously in favor

2. **(2017-328) Bruce Breedlove, RN** joined the meeting to discuss further his July 28, 2017 request to appeal the Board's June 29, 2017 Preliminary Denial of his May 18, 2017 Application for Examination and Licensure as a Registered Professional Nurse.

Pursuant to 1 M.R.S. §405(6)(F), in a motion made by Valerie Fuller and seconded by Kathleen McManus, the Board voted unanimously to go into executive session to discuss information gathered by the Board staff, which information is confidential and not subject to access by the general public pursuant to 32 M.R.S. § 2105-A(1-A) at 11:30am.

At 11:33am, in a motion made by Valerie Fuller and seconded by Stephanie Stimpson, RN, the Board voted unanimously to return to open session.

In a motion made by Valerie Fuller and seconded by Stephanie Stimpson, the Board voted to approve Mr. Breedlove's Application for Examination and Licensure as a Registered Professional Nurse. However, the Board voted to issue the Licensee a Letter of Concern.

VOTE: Unanimously in favor

3. **Chapter 21** – Basis Statement with comments and updated Chapter 21 rule

Following discussion, in a motion made by Valerie Fuller and seconded by Kathleen McManus, the Board voted to accept Chapter 21 as written.

VOTE: Unanimously in favor

4. **St. Joseph Healthcare** – Clarification regarding the administration of Diprovan by a RN in reference to rapid sequence intubation

Following discussion, in a motion made by Valerie Fuller and seconded by Stephanie Stimpson, the Board voted to accept clarification as written.

VOTE: Unanimously in favor

5. **(2017-69)**

Following discussion, in a motion made by Stephanie Stimpson and seconded by Kathleen McManus, the Board voted to delegate decision making authority on the petition to modify subpoena filed on August 1, 2017 with the Board to Rebekah Smith, Hearing Officer.

VOTE: 4 in favor

6. **(2017-68)**

Following discussion, in a motion made by Valerie Fuller and seconded by Stephanie Stimpson, the Board voted to clarify the terms of the Consent Agreement offered to the Licensee.

VOTE: Unanimously in favor

7. **Lucy Iselborn, RN – RE Request for reconsideration of decision to issue correspondence to licensee**

Following discussion, in a motion made by Valerie Fuller and seconded by Kathleen McManus, the Board voted to issue the Licensee a Letter of Concern.

VOTE: Unanimously in favor

8. **(2016-253 & 2017-191)**

Following discussion, in a motion made by Valerie Fuller and seconded by Kathleen McManus, the Board voted to administratively close the pending complaints.

VOTE: Unanimously in favor

9. **(2017-46)**

Following discussion, in a motion made by Valerie Fuller and seconded by Kathleen, the Board voted to administratively close the pending complaint.

VOTE: Unanimously in favor

10. **(2015-107)**

Following discussion, in a motion made by Valerie Fuller and seconded by Stephanie Stimpson, the Board voted to approve request to dismiss complaint without prejudice.

VOTE: Unanimously in favor

11. **(2016-59 & 2016-258)**

Following discussion, the Board withheld making a decision on the pending complaint(s).

12. **(2016-51) Weldon Peterson, RN** – RE 6/8/17 Adjudicatory Hearing Request for Approval of Decision and Order

Following discussion, in a motion made by Valerie Fuller and seconded by Gail Dudley, the Board voted to approve the Decision and Order as written.

VOTE: Unanimously in favor

13. **(2017-43)**

Following discussion, in a motion made by Valerie Fuller and seconded by Kathleen McManus, the Board voted to deny the Licensee's request.

VOTE: Unanimously in favor

14. **(2016-189 & 2017-356)**

Following discussion, in a motion made by Kathleen McManus and seconded by Stephanie Stimpson, the Board voted to rescind its previous offer of a Consent Agreement.

VOTE: 4 in favor (1 Recused – Valerie Fuller)

In a motion made by Kathleen McManus and seconded by Stephanie Stimpson, the Board voted to preliminarily deny the Licensee's Registered Professional Nurse Application for License Renewal.

VOTE: 4 in favor (1 Recused – Valerie Fuller)

15. **(2017-180)**

Following discussion, in a motion made by Valerie Fuller and seconded by Stephanie Stimpson, the Board voted to approve the Licensee's request.

VOTE: Unanimously in favor

16. **(2016-44) Debra A. Masengale, RN** – RE 6/29/17 Adjudicatory Hearing Request for Approval of Decision and Order

Following discussion, in a motion made by Valerie Fuller and seconded by Stephanie Stimpson, the Board voted to approve the Decision and Order as written.

VOTE: Unanimously in favor

NEW BUSINESS

1. **Northern Maine Community College** – RE Request for Exception to Masters
 - a. **Lyndsay McIver, RN, BSN**

Following discussion, in a motion made by Valerie Fuller and seconded by Kathleen McManus, the Board voted to approve the request for an Exception to Masters for Ms. McIver in accordance with Chapter 7 Section (2)(C(5)(b)).

VOTE: Unanimously in favor

2. **Kaplan School of Nursing** – RE Request for Exception to Masters
 - a. **Carmen Hayford, RN, BSN**
 - b. **Emily Kelley, RN, BSN**
 - c. **Lisa Ricker, RN, BSN**
 - d. **Rebecca Thompson, RN, BSN**
 - e. **Samantha Menegas, RN, BSN**
 - f. **Natalie Bowden, RN, BSN**

Following discussion, in a motion made by Kathleen McManus and seconded by Valerie Fuller, the Board voted to defer making a decision pending receipt and review of additional information.

VOTE: Unanimously in favor

3. **Judith Arbuckle, RN** – RE 5/30/17 Registered Professional Nurse Application for License Renewal

Following discussion, in a motion made by Valerie Fuller and seconded by Stephanie Stimpson, the Board voted to preliminarily deny Ms. Arbuckle's Registered Professional Nurse Application for License Renewal.

VOTE: Unanimously in favor

4. **Erin Crommie, RN** – RE 7/17/17 Registered Professional Nurse Application for License Renewal

Following discussion, in a motion made by Valerie Fuller, and seconded by Kathleen McManus, the Board voted to rescind its previous offer of a Consent Agreement.

VOTE: Unanimously in favor

In a motion made by Valerie Fuller, and seconded by Kathleen McManus, the Board voted to defer a decision pending receipt and review of further information.

VOTE: Unanimously in favor

5. **Karen Fitzgerald, RN** – RE 12/27/16 Registered Professional Nurse Application for License Renewal

Following discussion, in a motion made by Kathleen McManus and seconded by Valerie Fuller, the Board voted to preliminarily deny Ms. Fitzgerald's Registered Professional Nurse Application for License Renewal.

VOTE: Unanimously in favor

6. **Ellen Hall, RN** – RE 6/27/17 Registered Professional Nurse Application for License Renewal

Following discussion, in a motion made by Valerie Fuller and seconded by Kathleen McManus, the Board voted to defer a decision pending receipt and review of further information.

VOTE: Unanimously in favor

7. **Kimberly Pettengill, CNP** – RE 7/10/17 Advanced Practice Registered Nurse Certified Nurse Practitioner Application for License Renewal

Following discussion, in a motion made by Valerie Fuller and seconded by Gail Dudley, the Board voted to offer Ms. Pettengill a Consent Agreement.

VOTE: Unanimously in favor

In a motion made by Valerie Fuller and seconded by Kathleen McManus, the Board voted to modify its previous vote to include the preliminary denial of Ms. Pettengill's Advanced Practice Registered Nurse Certified Nurse Practitioner Application for License Renewal.

VOTE: Unanimously in favor

8. **Dorothy Quinn, RN** – RE 6/6/17 Registered Professional Nurse Application for License Renewal

Following discussion, in a motion made by Valerie Fuller and seconded by Kathleen McManus, the Board voted to preliminarily deny Ms. Quinn's Registered Professional Nurse Application for License Renewal.

VOTE: Unanimously in favor

9. **Michelle Strout, LPN** – RE 2/21/17 Licensed Practical Nurse Application for License Renewal

Following discussion, in a motion made by Valerie Fuller and seconded by Kathleen McManus, the Board voted to approve Ms. Strout's Licensed Practical Nurse Application for License Renewal. However, the Board voted to issue Ms. Strout a Letter of Concern.

VOTE: Unanimously in favor

10. Robert Dixon, LPN – RE 2/8/17 Licensed Practical Nurse Application for License Reactivation

Pursuant to 1 M.R.S. §405(6)(F), in a motion made by Valerie Fuller and seconded by Kathleen McManus, the Board voted unanimously to go into executive session to discuss information gathered by the Board staff, which information is confidential and not subject to access by the general public pursuant to 32 M.R.S. § 2105-A(1-A) at 10:17 AM.

At 10:26 AM, in a motion made by Valerie Fuller and seconded by Kathleen McManus, the Board voted unanimously to return to open session.

Following discussion, in a motion made by Valerie Fuller and seconded by Kathleen McManus, the Board voted to defer a decision pending receipt and review of further information.

VOTE: Unanimously in favor

11. Christina Martinez, RN – RE 5/22/17 Application for Examination and Licensure as a Registered Professional Nurse

Following discussion, in a motion made by Valerie Fuller and seconded by Gail Dudley, the Board voted to approve Ms. Martinez's Application for Examination and Licensure as a Registered Professional Nurse.

VOTE: Unanimously in favor

12. Richard Nicholson, RN – 5/20/17 Application for Examination and Licensure as a Registered Professional Nurse

Following discussion, in a motion made by Valerie Fuller and seconded by Gail Dudley, the Board voted to defer a decision pending receipt and review of further information.

VOTE: Unanimously in favor

13. Richard Possel, RN – 5/12/17 Application for Licensure by Endorsement as a Registered Professional Nurse

Following discussion, in a motion made by Valerie Fuller and seconded by Stephanie Stimpson, the Board voted to approve Mr. Possel's Application for Licensure by Endorsement as a Registered Professional Nurse.

VOTE: Unanimously in favor

ADJOURNED @ 2:25PM