

**VIRGINIA BOARD OF NURSING
COMMITTEE OF THE JOINT BOARDS OF NURSING AND MEDICINE
BUSINESS MEETING MINUTES
April 11, 2018**

TIME AND PLACE: The meeting of the Committee of the Joint Boards of Nursing and Medicine was convened at 10:0 A.M., April 11, 2018 in Board Room 2, Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

MEMBERS PRESENT: Louise Hershkowitz, CRNA. MSHA; Chair
Marie Gerardo, MS, RN, ANP-BC
Joyce A. Hahn, PhD, RN. NEA-BC, FNAP
Kenneth Walker, MD

MEMBERS ABSENT: Lori Conklin, MD
Kevin O'Connor, MD

ADVISORY COMMITTEE

MEMBERS PRESENT: Kevin E. Brigle, RN, NP
Mark Coles, RN, BA, MSN, NP-C
Wendy Dotson, CNM, MSN
David A. Ellington, MD
Sarah E. Hobgood, MD
Stuart F. Mackler, MD
Janet L. Setnor, CRNA

STAFF PRESENT: Jay P. Douglas, MSM, RN, CSAC, FRE; Executive Director; Board of Nursing
Robin L. Hills, DNP, RN, WHNP; Deputy Executive Director for Advanced Practice; Board of Nursing
Stephanie Willinger; Deputy Executive Director for Licensing; Board of Nursing
Huong Vu, Executive Assistant; Board of Nursing
Sylvia Tamayo-Suijk, Discipline Team Coordinator; Board of Nursing

OTHERS PRESENT: Erin Barrett, Assistant Attorney General; Board Counsel
David Brown, DC; Director; Department of Health Professions
Barbara Allison-Bryant, MD, Department of Health Professions Chief Deputy
Elaine Yeatts, Senior Policy Analyst, Department of Health Professions
William L. Harp, MD, Executive Director; Board of Medicine

IN THE AUDIENCE: W. Scott Johnson, Medical Society of Virginia (MSV)
Ralston King, Medical Society of Virginia (MSV)
Richard Grossman, Virginia Council of Nurse Practitioners (VCNP)
Sarah Heisler, Virginia Hospital and Healthcare Association (VHHA)
Ryan LaMirra, Virginia Hospital and Healthcare Association (VHHA)

INTRODUCTIONS: Committee members, Advisory Committee members and staff members introduced themselves.

ESTABLISHMENT OF A QUORUM:

Virginia Board of Nursing
Committee of the Joint Boards of Nursing and Medicine Minutes
April 11, 2018

Ms. Hershkowitz called the meeting to order and established that a quorum was present.

ANNOUNCEMENT: Ms. Hershkowitz noted the announcement list on the agenda.

REVIEW OF MINUTES: The minutes of February 7, 2018 Business Meeting and Formal Hearing were reviewed. Ms. Hershkowitz requested correction of the minutes regarding Kassie Schroth who is with the Virginia Association of Nurse Anesthetists (VANA), not the Medical Society of Virginia (MSV). Ms. Gerardo moved to accept all of the minutes with amendment. The motion was seconded and passed unanimously.

PUBLIC COMMENT: Ms. Hershkowitz asked that no comment about the HB793, Nurse Practitioner Bill, to be received today. She added that Committee will convene a special meeting regarding this bill on May 17, 2018 and there will be opportunity for public comment.

There was no public comment received.

DIALOGUE WITH
AGENCY DIRECTOR:

Dr. Brown reported the following:

- The General Assembly reconvened today to consider possible legislation to expand Medicaid. Many bills were amended and vetoed by the Governor
- DHP was asked to research if legislation is needed:
 - ❖ To regulate community health workers
 - ❖ To regulate outpatient treatment centers
 - ❖ To regulate administration of Naloxone in emergency room
 - ❖ To prohibit conversion therapy to minors

Dr. Brown added that a Workgroup of Board Representatives will be convene to discuss these matters.

- IT, Front Desk, and Business Administration staff have moved to the first floor successfully
- Dr. Brown, Dr. Allison-Bryant, DHP Chief Deputy, and Lisa Hahn, DHP Chief Operation Officer (COO), are studying the need for additional building security.

Ms. Hershkowitz asked if members have questions for Dr. Brown.

Dr. Mackler stated that he was asked by a friend, a psychiatrist, whether nurse practitioners were notified about changes in the laws. Dr. Harp said yes.

Ms. Dotson said that previously there were seminars on training people on addiction treatment. Will there be more training on prescribing for treatment of addiction. Dr. Brown said there are trainings provided by the Virginia

Department of Health (VDH). Additionally, he added that only 50% of people completing the training provide substance abuse disorder treatment.

Dr. Hobgood commented that doctors who take on that responsibility are afraid it will take over their clinical practice due to lack of treatment providers.

SAMHSA has a list of providers to whom waivers have been granted to provide treatment.

OLD BUSINESS:

Regulatory Update:

Ms. Yeatts reviewed the chart of regulatory actions as provided in the handout noting that once the Prescribing Opioids regulations are approved by the Governor, the Emergency Regulations must be replaced within 18 months.

Report of 2018 General Assembly:

Ms. Yeatts reviewed the report as provided in the handout.

POLICY FORUM:

Virginia's Healthcare Workforce Data Center (HWDC) Nurse Practitioner Workforce: Composition by Specialty 2018 Report:

Drs. Carter and Shobo presented the most recent data for CRNAs, CNMs, and NPs noting that only half of the nurse practitioners responded to the survey at renewal. Dr. Carter noted that the findings indicate good employment prospect for all three specialties and asked if the Committee wishes to have this breakdown data included in the annual report going forward.

Ms. Gerardo moved to have the breakdown data into three specialties to be included in the annual report going forward. The motion was seconded and carried unanimously.

Ms. Hershkowitz thanked Drs. Carter and Shobo for their report and requested the Advisory Committee Members to encourage their professional association members to respond to survey when renewing.

RECESS:

The Board recessed at 11:05 AM

RECONVENTION:

The Board reconvened at 11:20 AM

NEW BUSINESS:

Board of Nursing Executive Director Report:

Ms. Douglas reported the following:

- Board staff continues to receive many questions from individuals, facilities, and hospitals regarding HB793.
- Board of Nursing will have an intern who will start on June 10, 2018 to assist Board staff on projects to include nurse practitioner data cleanup.
- There has been an increase in complaints for all professions since the implementation of the online complaint form but not all complaints result in violation of the laws and regulations.

IMPLEMENTATION OF HB793 – Autonomous practice for certain nurse practitioners

Ms. Yeatts provided a handout of tentative timeline for implementation of HB793 noting that the Governor signed the bill on April 4, 2018 so the emergency regulations must be in place within 280 days from its enactment, which will be by January 9, 2019.

Ms. Yeatts reviewed topics for consideration in adoption of regulations and to amend Chapter 30 (NP Licensure) and 40 (Prescriptive Authority) and noting additional suggested topics such as:

- What does it mean to have an attestation to prove five years of full-time equivalent clinical experience?
- What are the requirements for attestation form?

Dr. Mackler suggested looking at other states that already have the regulations in place. Ms. Douglas said that staff plan to utilize the information from other states and from the NCSBN.

Ms. Yeatts commented that there are nine categories of nurse practitioners but this bill does not affect CRNAs and CNMs. Ms. Yeatts suggested that staff send out preliminary comment request to general public before the May 17, 2018 meeting. She added that staff can prepare draft regulations based on the comments received for Committee consideration on May 17. All agreed.

ADJOURNMENT: As there was no additional business, the meeting was adjourned at 12:47 P.M.

Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director