

**VIRGINIA BOARD OF NURSING
COMMITTEE OF THE JOINT BOARDS OF NURSING AND MEDICINE
BUSINESS MEETING MINUTES
February 12, 2020**

TIME AND PLACE: The meeting of the Committee of the Joint Boards of Nursing and Medicine was convened at 9:01 A.M., October 16, 2019 in Board Room 2, Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

MEMBERS PRESENT: Marie Gerardo, MS, RN, ANP-BC; Chair
Louise Hershkowitz, CRNA, MSHA
Ann Tucker Gleason, PhD
Kenneth Walker, MD
L. Blanton Marchese, Board of Medicine Citizen Member

MEMBERS ABSENT: Karen A. Ransone, MD
Nathaniel Ray Tuck, Jr., DC

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

STAFF PRESENT: Jay P. Douglas, MSM, RN, CSAC, FRE; Executive Director; Board of Nursing
Terri Clinger, DNP, RN, CPNP-PC; Deputy Executive Director for Advanced Practice; Board of Nursing
Robin L. Hills, DNP, RN, WHNP; Deputy Executive Director for Education; Board of Nursing
Stephanie Willinger; Deputy Executive Director for Licensing; Board of Nursing
Huong Vu, Executive Assistant; Board of Nursing

OTHERS PRESENT: Charis Mitchell, Assistant Attorney General; Board Counsel
David E. Brown, DO; Department of Health Professions Director
Barbara Allison-Bryan, MD, Department of Health Professions Chief Deputy
William L. Harp, MD, Executive Director; Board of Medicine

IN THE AUDIENCE: Kathy Martin, Hancock , Daniel & Johnson
Marie Molner, Board of Nursing Staff
Joseph Corley, Board of Nursing Staff

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

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Dr. Harp informed the Committee that Mr. Marchese has been appointed to the Committee of the Joint Boards of Nursing and Medicine for the day.

ESTABLISHMENT OF A QUORUM:

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

Ms. Gerardo noted that a potential new Advisory Committee Member consideration has been added to the Agenda under New Business section.

ANNOUNCEMENT:

Ms. Gerardo noted the announcement as presented in the Agenda: New Committee of the Joint Boards Members – Karen A. Ransone, MD and Nathaniel Ray Tuck, Jr., MD.

NCSBN APRN Roundtable Meeting is scheduled for April 7, 2020 in Rosemont, IL – Ms. Douglas will attend as a Member of the NCSBN Board of Directors for Area III. Ms. Douglas noted that the focus of the meeting will be on the education preparation of nurse practitioners.

REVIEW OF MINUTES:

The minutes of the October 16, 2019 Business Meeting were reviewed. Ms. Hershkowitz moved to accept the minutes as presented. The motion was seconded and passed unanimously.

PUBLIC COMMENT:

No public comments were received.

DIALOGUE WITH
AGENCY DIRECTOR:

Dr. Brown reported the following:

Changes at General Assembly (GA) – longer lines to access buildings due to changes in security in place

Medical Marijuana – the bill is to remove THC cap on oil and to decriminalize the possession of marijuana. The bill was not passed and will be presented again in 2021. The Secretary of Health Task Force is to review the use of marijuana and make recommendations.

Healthcare Workforce – appears to be interested in allowing practitioners, such as nurse practitioners, to broaden the categories of clinical procedures they perform.

LEGISLATION/
REGULATIONS:

2020 General Assembly (GA) Report:

Dr. Allison-Bryan reviewed the 2020 GA report handout noting that crossover was on February 11, 2020 and bills are now in opposite house. Dr. Allison-Bryan added that once the bills are passed, the Boards will have regulatory work to begin.

Ms. Setnor stated that the CRNAs are happy with the result regarding HB1059, which allows CRNAs to have prescriptive authority. Ms. Setnor

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added that, although this bill was not exactly what CRNA's wanted, it allows them to continue to do what they do. Ms. Douglas complimented Virginia Association of Nurse Anesthetists (VANA) for working with the Medical Society and the anesthetists in preparation of the bill.

B1 Regulatory Update:

Dr. Clinger reviewed the chart of regulatory actions as of February 11, 2020 on behalf of Ms. Yeatts noting that the Board of Nursing staff is working on the waiver form for the electronic prescribing.

POLICY FORUM:

Dr. Elizabeth Carter and Dr. Yetty Shobo presented on the Board of Nursing survey reports. Dr. Carter stated that the Virginia Department of Health Professions' Healthcare Workforce Data Center (HWDC) administers the survey during the license renewal process, which takes place during a two-year renewal cycle on the birth month of each respondent.

Dr. Shobo provided a summary 2019 reports which will be posted on the DHP website upon approval:

- ❖ Virginia's Licensed Nurse Practitioner Workforce: 2019
- ❖ Virginia's Licensed Nurse Practitioner Workforce: Comparison by Specialty

Dr. Ellington asked what is the outcome of these reports. Ms. Douglas said the educators and employers use them for planning purposes.

NEW BUSINESS:

Appointment of Joint Boards Advisory Committee Member, Kathleen J. Bailey, RN, CNM, MA, MS:

Ms. Gerardo stated that Ms. Bailey's CV is presented for the Committee's consideration and action for the nurse midwife position on the Advisory Committee to replace Ms. Dotson.

Ms. Douglas noted that the recommendation for Kathleen Bailey was from Katie Page, CNM, FACNM, President of Virginia Affiliate of the ACNM. Ms. Douglas thanked Ms. Dotson for her service on the Advisory Committee.

Dr. Walker moved to accept the appointment of Ms. Bailey for the nurse midwife position on the Advisory Committee. The motion was seconded and passed.

Board of Nursing Executive Director Report:

- **Paperless Licensing** – the Board has implemented paperless licensing beginning with massage therapy. Practical nurse and nurse practitioner licenses will be the next professions to be implemented. Licensees will no longer receive hard copy paper licenses after renewal. License Lookup will be primary source of

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verification. All Boards at DHP have started this process incrementally which will decrease costs, administrative burden, and reduce the risk of fraud.

Dr. Brown left the meeting at 10:45 A.M.

- **Electronic Prescribing Notification** – Dr. Clinger reviewed under Legislation/Regulations.
- **Prescriptive Authority Licensure Regulatory Change Process** – Ms. Douglas said that Regulations for Elimination of Separate License for Prescriptive Authority (PA) will be effective on March 4, 2020. Nurse Practitioners (NPs), who currently have the PA, will receive the new NP licenses with the PA designation. Those, who do not have the PA, can apply with the \$35 fee. New applicants will have one application incorporating both eligibility criteria. Communication has been sent to practitioners already. Ms. Douglas added that this will reduce fees and the administrative burden for licensees. Ms. Douglas added that separate communication will be sent to CRNAs following General Assembly action.
- **NCSBN Board Directors February 10-11, 2020 meeting** – Ms. Douglas said the proposed revisions draft language of the APRN Compact was discussed and will be presented at the NCSBN Midyear Meeting in March 2020.

HB793 – Workforce Data Collection Planning Discussion:

Ms. Douglas said that HB793 requires DHP to submit a report to the General Assembly on the process by which nurse practitioners with autonomous practice licenses may be included in the online Practitioner Profile maintained by DHP by November 1, 2020.

Ms. Douglas added that among other things, the enactment clause of HB793 also requires the Boards of Medicine and Nursing to report the number of NPs who have autonomous practice licenses accompanied by the geographic and specialty areas in which these NPs are practicing to the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health and the Chairman of the Joint Commission on Health Care by November 1, 2021.

Ms. Douglas noted that the Committee of the Joint Boards will review the work plan at its April 15, 2020 meeting.

Autonomous Practice Update:

Ms. Willinger reported that, as of yesterday, the Board received 744 applications and 704 licenses were issued.

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Ms. Willinger noted that there have been no application denials to date. Ms. Douglas stated that a denial is considered by the Committee of the Joint Boards. Ms. Douglas introduced Joseph Corley as Board Staff who processes Autonomous Practice applications.

Ms. Douglas added that the majority of the categories are of NP's with the autonomous designation in family and psychiatric NP.

**C1 – Consider Revision of the Guidance Document (GD) 90-11:
Continuing Competency Violations for Nurse Practitioners:**

Ms. Douglas stated the proposed revision of the GD 90-11 is presented for Committee consideration.

Dr. Ellington suggested adding “*Licensure Renewal Requirements*” after the “**Continued Competency**” in the title.

Mr. Marchese moved to adopt the revised GD 90-11 as presented with additional amendment. The motion was seconded and carried unanimously.

C2 2020 Meeting Dates:

Ms. Gerardo stated that this is provided for information only.

RECESS:

The Committee recessed at 10:44 A.M.

The Members of the Advisory Committee, Dr. Gleason, and Dr. Allison-Bryan left the meeting at 10:44 A.M.

RECONVENTION:

The Committee reconvened at 10:57 A.M.

AGENCY SUBORDINATE RECOMMENDATION CONSIDERATION

David Valentine Strider, Jr., LNP	0024-090402
Prescriptive Authority	0017-001538

Mr. Strider provided written response.

CLOSED MEETING:

Ms. Hershkowitz moved that the Committee of the Joint Boards of Nursing and Medicine convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 10:57 A.M., for the purpose of consideration of the agency subordinate recommendations. Additionally, Ms. Hershkowitz moved that Ms. Douglas, Ms. Willinger, Ms. Vu and Ms. Mitchell, Board counsel, attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

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RECONVENTION: The Board reconvened in open session at 11:16 A.M.

Ms. Hershkowitz moved that the Committee of the Joint Boards of Nursing and Medicine certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and carried unanimously.

Ms. Hershkowitz moved that the Committee of the Joint Boards of Nursing and Medicine accept the recommended decision of the agency subordinate to reprimand David Valentine Strider, Jr. and to suspend his prescriptive authority in the Commonwealth of Virginia for a period of one year from the date of entry of the Order. The motion was seconded and carried unanimously.

ADJOURNMENT: As there was no additional business, the meeting was adjourned at 11:17 A.M.

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