

# MINUTES

## BOARD OF NURSING MEETING

November 9, 2023  
Heber M. Wells Bldg.  
ELECTRONIC MEETING – 8:30 a.m.  
Salt Lake City, UT 84114

CONVENED: 8:31 A.M.

ADJOURNED: 12:10 P.M.

### **DOPL STAFF PRESENT:**

Bureau Manager: Jeff Busjahn  
Board Secretary: Thomas Togisala  
Compliance Specialist: Sharon Bennett

### **CONDUCTING:**

Luisa Echeverria, RN – Chair

### **BOARD MEMBERS PRESENT:**

Luisa Echeverria, RN  
Ralph Pittman, LPN  
Linda Hofmann, RN, Ph.D.  
Drew Foncesbeck, RN  
Justin A. Andersen, Public Member  
Kristi Vick, APRN-CRNA  
Joshua B. Wall – PhD, RN, CEN, CFRN

### **BOARD MEMBERS EXCUSED:**

David Skalka, JD, APRN, FNP-C  
Ellen Brown, MSN, APRN  
Julie Gee, RN, Ph.D.

### **GUESTS:**

Charlotte Smith – Student  
Diane Forster-Burke – Utah Nurses Association  
Mark Steinagel – DOPL, Director  
Ashley Beyer – DOPL, Outreach Manager  
Krista Baird – DOPL, Outreach Specialist

## **ADMINISTRATIVE BUSINESS:**

### **CALL MEETING TO ORDER:**

Ms. Echeverria called the meeting to order at 8:31 a.m.

### **OATH OF OFFICE FOR NEW BOARD MEMBER – JOSHUA WALL:**

Dr. Wall was sworn in as a new member on the Utah Board of Nursing.

### **REVIEW AND APPROVE THE OCTOBER 12, 2023 MINUTES:**

Mr. Pittman motioned to approve the minutes.

Dr. Hofmann seconded the motion.

The vote in favor was unanimous.

### **LEGISLATIVE AND ENVIRONMENTAL SCAN:**

Ms. Forster-Burke provided a brief update to the Board. The Utah Nursing Association is continuing to work with Representative Lesser and their attorney to draft a bill to restore the authority to the Board of Nursing to monitor and regulate nursing education.

Mr. Busjahn took a moment to publicly recognize Debra Mills and her contributions to the Utah Board of Nursing. Ms. Mills has served her full term as the Chairperson on the Board of Nursing for over eight years. Her efforts, dedication, and expertise were acknowledged.

Ms. Echeverria and Mr. Busjahn also took a moment to recognize Mr. Shah. Mr. Shah recently passed away. His efforts, dedication, and time serving on the Utah Board of Nursing was acknowledged. He will be missed.

### **CO-CHAIRPERSON DISCUSSION:**

Dr. Hofmann expressed interest in serving as the co-chairperson on the Utah Board of Nursing.

Ms. Echeverria motioned to accept Dr. Hofmann as the co-chairperson on the Utah Board of Nursing.

Mr. Pittman seconded the motion.

The vote in favor was unanimous.

### **E&E (EDUCATION AND ENFORCEMENT) FUNDS DISCUSSION:**

*(Refer to audio for specifics. Part\_7: 00:00 – 18:57)*

Mr. Steinagel addressed the education and enforcement funding account. He explained its purpose, how it's used, and wanted to check-in with the Board.

Mr. Steinagel asked the Board for their feedback. The funding account has around \$300,000.

Ms. Beyer explained that the funding is used for her and Ms. Baird's salaries. In addition, it's used for:

- Surveys
- Focus Groups
- Social Media
- Notices for Scopes of Practices
- Education Videos
- Google Ads
- Online Education Courses
- Commercials
- Renewal Notices
- Healthcare Caravan: Traveling through rural areas in Utah to offer continued education courses.

Ms. Baird spoke about DOPL's social media platforms. DOPL has launched Facebook and Instagram platforms. It's used to boost posts about health programs, renewals, and information pertaining to the nursing field.

## **BOARD BUSINESS:**

### **PROBATIONER WRITTEN REQUESTS AND REVIEW OF DOCUMENTS:**

Ms. Bennett provided the Board with a brief update on their probationer reports.

### **PROBATIONER INTERVIEWS:**

Bryan Pratt – Interview conducted by Ms. Vick.

Mr. Pratt is not currently working as an APRN.

Mr. Pratt is seeking work as a registered nurse.

Mr. Pratt has a pending issue with state of California.

Mr. Pratt has four years left of probation.

No motions were made.

Stephanie Dalton – Interview conducted by Ms. Echeverria.

Ms. Dalton is working as a nurse and enjoys her job.

Ms. Dalton has great employer reports.

No motions were made.

Colette Kolesar – Interview conducted by Dr. Hofmann.

Ms. Kolesar is not working as a nurse.

Ms. Kolesar is on the OIG exclusion list. She's currently working on appealing it.

No motions were made.

Meagan McCullough – Interview conducted by Mr. Fannesbeck.

Ms. McCullough is doing well.

Ms. McCullough has a new nursing job and she's adjusting to it.

Ms. McCullough's sobriety date is May 2019.

- Mr. Pittman motioned to close the meeting in accordance with 52-4-205(1)(a) to discuss the character, professional competence, or physical or mental health of an individual.

The motion was seconded by Dr. Hofmann.  
The vote in favor was unanimous.  
The meeting was closed at 9:35 and reopened at 9:38.

No additional motions were made.

Sarah Naylor – Interview conducted by Mr. Pittman.

Ms. Naylor is doing great.  
Ms. Naylor has no missed check-ins.  
Ms. Naylor is compliant in her probation.

Mr. Pittman motioned to allow Ms. Naylor to work up to 96 hours within a two-week work period.  
Mr. Fannesbeck seconded the motion.  
The vote in favor was unanimous.

Mr. Pittman motioned to lift Ms. Naylor's controlled substance and pharmacy restriction.  
Mr. Andersen seconded the motion.  
The vote in favor was unanimous.

Mary Wendel – Interview conducted by Ms. Echeverria.

Ms. Wendel is doing well.  
Ms. Wendel enjoys her job and working with children.  
Ms. Wendel has one missed check-in.  
No motions were made.

Diane Crossley – Interview conducted by Mr. Pittman.

Ms. Crossley is on a five-year stipulation and order.  
Ms. Crossley has one missed check-in.  
Ms. Crossley had one positive in January.  
Ms. Crossley submitted a request to terminate her probation early. Her request will be reviewed in the next meeting.  
No motions were made.

Heidi Palfreyman – Interview conducted by Ms. Vick.

Ms. Palfreyman has one no-show, two dilutes, and one positive.

- Mr. Pittman motioned to close the meeting in accordance with 52-4-205(1)(a) to discuss the character, professional competence, or physical or mental health of an individual.  
The motion was seconded by Ms. Vick.  
The vote in favor was unanimous.  
The meeting was closed at 10:16 and reopened at 10:23.

Ms. Vick motioned to refer Ms. Palfreyman's file back to the Division.  
Mr. Pittman seconded the motion.

The vote in favor was unanimous.

Clayton Laulu – Interview conducted by Ms. Vick.

Mr. Laulu reads his stipulation and order often.  
Mr. Laulu increased his meetings to 2-4 a week.  
Mr. Laulu's family is very supportive of him.  
Mr. Laulu has two positive tests.

Ms. Vick motioned for Mr. Laulu to complete a thinking errors course.  
Mr. Pittman seconded the motion.  
The vote in favor was unanimous.  
Ms. Vick motioned for Mr. Laulu to submit a thinking errors essay within three months.  
Mr. Pittman seconded the motion.  
The vote in favor was unanimous.

Allison Covington – No Show – File reviewed by Mr. Fannesbeck.

Ms. Covington has three missed check-ins and one out-of-range.  
Ms. Covington has great employer reports.  
No motions were made.

Daniel Barney – No show due to technical issues. – File reviewed by Dr. Hofmann.

Mr. Barney has no missed check-ins.  
Mr. Barney has not submitted his employer reports.  
No motions were made.

Christopher Moore – Interview conducted by Mr. Pittman.

Mr. Moore's therapy reports are past due.  
Mr. Moore has three missed check-ins and one no-show.

Mr. Pittman motioned to fine Mr. Moore \$500.00 for non-compliance.  
Dr. Hofmann seconded the motion.  
The vote in favor was unanimous.

Michele McArdle – Interview conducted by Ms. Echeverria.

- Mr. Pittman motioned to close the meeting in accordance with 52-4-205(1)(a) to discuss the character, professional competence, or physical or mental health of an individual.  
The motion was seconded by Ms. Vick.  
The vote in favor was unanimous.  
The meeting was closed at 11:05 and reopened at 11:07.

Ms. McArdle is working as a nurse.  
Ms. McArdle has great employer reports.  
Ms. McArdle attends AA meetings regularly.

Stephanie Spencer – Interview conducted by Dr. Hofmann.

Ms. Spencer missed her meeting with the Board in October. She wasn't aware that she had a meeting.

Ms. Spencer has three missed check-ins this year. Her missed check-ins were in January, March, and July. She doesn't know why she missed her check-ins.

Ms. Spencer said her work is going "good".

The Board, Mr. Busjahn, and Ms. Bennett commented on Ms. Spencer's attitude and unprofessionalism.

Dr. Hofman motioned to fine Mr. Spencer \$500.00 for non-compliance.

Mr. Pittman seconded the motion.

The vote in favor was unanimous.

### **REQUEST AND APPROVALS:**

Brandon Aven – File reviewed by Ms. Vick.

Ms. Vick motioned to allow for Mr. Aven to go from indirect supervision to general supervision only at U.S. Renal Care.

Mr. Pittman seconded the motion.

The vote in favor was unanimous.

Annette Ukena – File reviewed by Mr. Fonnesebeck.

Mr. Fonnesebeck motioned to amend Ms. Ukena's stipulation and order to allow her to work in home healthcare and hospice.

Mr. Pittman seconded the motion.

The vote in favor was unanimous.

### **ADMINISTRATIVE BUSINESS (CONTINUED):**

#### **NURSE LICENSURE ENDORSEMENT PATHWAYS DISCUSSION:**

*(Refer to audio for specifics. Part 7: 19:00 – 39:00)*

Mr. Busjahn explained the revised 58-1-302, License by endorsement. This pathway will allow DOPL to review requirements of healthcare professionals who may be eligible to take the NCLEX if their education, experience, and skills demonstrate competency and are substantially similar in the nursing profession.

Mr. Steinagel explained that the legislature has been working on different pathways to licensure.

The Board provided their feedback and shared their concerns with this pathway process.

Ms. Forster-Burke of the Utah Nurses Association shared her concerns that this can be a nursing risk.

The Board will continue this discussion at the next board meeting.

**NEXT SCHEDULED MEETING: DECEMBER 5, 2023**

**ADJOURN: 12:10 P.M.**

**Meeting adjourned at 12:10 P.M.**

**Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred. For specific details, refer to the audio recording.**

12/14/23

Date Approved

12/19/2023

Date Approved

*Luisa Echeverria*

Luisa Echeverria - Board of Nursing Member



Jeff Busjahn - Bureau Manager, DOPL