

MISSISSIPPI BOARD OF NURSING

Business Meeting

February 02, 2018

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MS BOARD OF NURSING



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THE MISSISSIPPI BOARD OF NURSING
BUSINESS MEETING

FEBRUARY 2, 2018

BOARD MEMBERS IN ATTENDANCE:

- MELISSA KING, DNP, FNP-BC, ENP-BC, PRESIDENT
- NANCY NORRIS, LPN, SECRETARY
- ALTON SHAW, MSN, FNP-C, TREASURER
- CLAUDE D. BRUNSON, MD, PHYSICIAN REPRESENTATIVE
- JAN COLLINS, CONSUMER REPRESENTATIVE
- BLAKE WARD, MSN, CRNA
- SHARON CATLEDGE, DNP, FNP-C
- LEKATHRYN GIPSON, LPN
- DARLENE LINDSEY, MSN, RN, CNE
- SHIRLEY JACKSON, LPN
- TERESA STANFORD DNP, FNP-BC

REPORTED BY: ASHLEY C. HAGG
 CERTIFIED SHORTHAND REPORTER
 CSR NO. 1178
 NOTARY PUBLIC

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2 The following proceedings were held at the
3 Mississippi Board of Nursing, 713 South Pear Orchard
4 Road, Plaza II, Suite 300, in the City of Ridgeland,
5 State of Mississippi, on Friday, February 2, 2018,
6 commencing at approximately 11:08 a.m.

7 *****

8
9 DR. KING: Good morning. We are going to
10 go ahead and get started and call this meeting to
11 order. It is 11:08, and I'm going to ask Ms.
12 LeKathryn Gipson to open us up in a word of prayer,
13 please.

14 (PRAYER)

15 DR. KING: So we do have a quorum today.
16 And then I'm going to ask for an approval of the
17 agenda, but we do have one change, under number 4,
18 where it talks about agreed settlement proposals, and
19 that's actually going to refer to the hearing minutes.
20 And so can I get, with that change, an approval of the
21 agenda, a motion to approve the agenda?

22 MR. SHAW: I make a motion.

23 MR. WARD: Second.

24 DR. KING: Motion made by Alton Shaw,
25 seconded by Blake Ward. Any discussion?

1 (NO VERBAL RESPONSE)

2 DR. KING: All in favor?

3 (ALL IN FAVOR)

4 DR. KING: Any opposed?

5 (NO VERBAL RESPONSE)

6 DR. KING: Any abstainers?

7 (NO VERBAL RESPONSE)

8 DR. KING: Now we will open it up to the
9 public, if we have anyone that would like to speak.
10 Teresa Malone?

11 MS. MALONE: Thank you. Teresa Malone
12 with the Mississippi Nurses' Association. On behalf
13 of the Mississippi Nurses' Association's Board of
14 Directors, I extend my appreciation to the Board of
15 Nursing for all the work that they have put forth
16 during this legislative session. I would like to
17 recognize that many of you have spoken at the Capitol,
18 specifically in relation to the removal of the
19 collaborative agreement, which is a contract between
20 APRNs and physicians. I would like to recognize Madam
21 Chairman -- Madam President, I'm sorry -- as well as
22 Blake Ward, as well as the executive director, Phyllis
23 Johnson, for all the stellar work that they did at the
24 Capitol during this session.

25 I'm sure Trey will cover some additional

1 information on that, but, as you know, all of those
2 bills died in Committee. However, again, I express
3 our appreciation to all of you and all of the
4 individuals throughout the state who worked so hard on
5 this.

6 I would also like to invite all of you to
7 attend our upcoming Legislative Nursing Summit. That
8 will be held on February the 6th. That's this coming
9 Tuesday. It will be held at the Jackson Convention
10 Complex, and we are delighted that Phyllis will again
11 be making a presentation, and this will be the first
12 time that many of the nursing students will be exposed
13 to the Board of Nursing. So we appreciate her
14 speaking at that particular event.

15 We are also delighted that John Dowdy
16 will be speaking about the Opioid Epidemic, which is
17 of important to, needless to say, nursing students and
18 nurses throughout the State of Mississippi.

19 In addition, we are continuing our work
20 relative to educating nurses on the human trafficking
21 situation that we are experiencing in Mississippi. As
22 you know, that is a growing epidemic. We will be
23 having some additional sessions on that throughout the
24 next upcoming year, as well as on the Opioid Epidemic.
25 But, mainly, I just wanted to extend our appreciation

1 to all of you for your work and through your support
2 during this legislative session. Thank you.

3 DR. KING: Thanks, Teresa. Anybody else?
4 Linda Shows?

5 MS. SHOWS: Just Linda is fine, Madam
6 President. Linda Shows, Mississippi LPN Association.
7 As I always like to echo Teresa's commentation about
8 the legislative session, this board has been very
9 active, and certainly with PN issues and PN education,
10 it has been very important. And we do appreciate the
11 efforts that you have put forth to make that a
12 successful journey. Sandra Culpepper did an excellent
13 job leading that committee, and I'm sorry that she is
14 feeling ill today. She did call me this morning and
15 said that she has the flu, and so we need to offer her
16 up in prayer.

17 Our upcoming convention is April the 11th
18 through the 13th at the IP Casino at the Gulf Coast.
19 We would love to have any of you that are available to
20 come and visit with us at this exciting time. The
21 ones that have been before can tell you we have a
22 large group of people. Usually we have 1,100 people
23 during that time. We will have all the students from
24 the 15 community colleges and the one private college
25 that teaches practical nursing, all the PN faculty and

1 LPNs there that do their CEUs or are working on their
2 CEUs. So we do hope that, if you have a day or have a
3 few hours and you're on the Gulf Coast, that you could
4 come and join us, and I will send you a formal
5 invitation by email.

6 So this is an exciting year. We got
7 through license renewal, and we celebrate that, and I
8 will celebrate with the staff for being patient with
9 all of my emails and referrals and questions that I
10 can't answer that LPNs need about their license
11 renewal. Sometimes those questions come to me, and I
12 gladly refer them to your staff. And I appreciate
13 that, Ms. President, Ms. Johnson, that your staff does
14 follow through, and they get these answers for people,
15 and it makes their lives easier. I think we're
16 getting less and less of those, and I do appreciate
17 that y'all have made a great effort to get questions
18 answered. So, on that, we wish you a Happy Heart Day
19 and that you will have a great work meeting, and we'll
20 see you in April.

21 DR. KING: Thanks, Linda. Anybody else?

22 (NO VERBAL RESPONSE)

23 DR. KING: At this time, can we put on
24 the record that Sandra Culpepper is absent in today's
25 meeting. Sorry about that. Office of Nursing

1 Workforce?

2 MR. THOMPSON: Good morning. At this
3 time the Office of Nursing Workforce has some things
4 that they're working on and looking at. For the past
5 few weeks, we've had the opportunity to sit down and
6 meet with LaNelle Weems of the Mississippi Hospital
7 Association. She has been great sharing her knowledge
8 with us and pointing out things to us from a learning
9 standpoint and showing us some things that we may or
10 may not know. We have also had the opportunity to
11 discuss some future joint ventures together with the
12 Mississippi Hospital Association.

13 The Data Committee has also been meeting
14 to talk about another data vendor who should be
15 joining us and who is interested in telling our data
16 story. The Data Committee met and discussed the pros
17 and cons of the vendor so he or she will be a perfect
18 match with ONW. We also have one or two projects that
19 we're looking at, maybe one, more or less, two. Next,
20 I would like to thank Darlene Lindsey for taking the
21 opportunity to sit down with me a second ago and
22 explain something to me, one of those projects.

23 And the Scholarship Committee is proud to
24 announce that we are finished taking applications. We
25 have 100 percent participation from all schools in the

1 State of Mississippi, and they were finished before
2 the deadline. The deadline was January 30th. I had
3 all applications before January the 30th, and we're
4 moving forward with that. Thank you.

5 DR. KING: Thanks, Dwayne. So we will
6 move to board business. Business meeting minutes from
7 December 8, 2017, I motion to approve those.

8 MR. SHAW: Motion.

9 MS. GIPSON: Second.

10 DR. KING: Motion by Alton Shaw. Second
11 by LeKathryn Gipson. Any discussion?

12 (NO VERBAL RESPONSE)

13 DR. KING: All those in favor?

14 (ALL IN FAVOR)

15 DR. KING: Opposed?

16 (NO VERBAL RESPONSE)

17 DR. KING: Abstainers?

18 (NO VERBAL RESPONSE)

19 DR. KING: All right. So, next, I would
20 like to get a motion to waive the reading of names on
21 motions.

22 DR. CATLEDGE: Madam President, I make a
23 motion that we waive the reading of the names on the
24 motions.

25 DR. KING: Motion by Dr. Catledge.

1 Second?

2 MS. GIPSON: Second.

3 DR. KING: Second by LeKathryn Gipson.

4 All in favor?

5 (ALL IN FAVOR)

6 DR. KING: Opposed?

7 (NO VERBAL RESPONSE)

8 DR. KING: Abstainers?

9 (NO VERBAL RESPONSE)

10 DR. KING: Future meetings are agreed
11 settlement proposals, April 24th of 2018.
12 Disciplinary hearings, April 25th and 26th of 2018 at
13 8:30. And the panel will consist of Ms. Shirley
14 Jackson, Dr. Teresa Stanford, Ms. Sandra Culpepper,
15 and Dr. Melissa King. And business meeting will be
16 April 27th, 2018, at 11:05. Legislative update, Trey?

17 MR. BOBINGER: Good morning. I
18 appreciate you having me this morning. It has been a
19 very busy legislative session, to say the least. Both
20 Teresa and Linda have alluded to the removal of the
21 collaboration agreements. I want to also thank all
22 the board members for your time at the Capitol. I
23 know, Madam President, that you and I got sore feet up
24 there yesterday, I think, spending a lot of time
25 visiting with legislators. I think we made a very

1 hard push. I think we educated a lot of folks and
2 certainly moved the needle. Obviously, there is more
3 to be done to achieve our ultimate goal, but I want to
4 thank everybody.

5 We had some great legislators, people
6 like Representative Donnie Scoggin, Representative
7 McLeod that really made a personal commitment to help
8 us advance our APRNs. And, again, all we were asking
9 for and will continue to ask for is to allow them to
10 practice to the full extent of their education and
11 training. And, you know, it goes to access to
12 healthcare, all these things that you know. But I
13 really want to thank all of you personally.

14 I know Phyllis Johnson, our executive
15 director, thank you for all your commitment, the
16 staff, our president, all the board members, and we're
17 going to continue fighting on that. And as one of the
18 leaders at the Capitol said, you know, that this will
19 go away. At some point this will be removed.

20 I also want to touch on some other things
21 you might not be as familiar with. These two bills
22 died, but it brings up an interesting issue. There
23 was Senate Bill 2305 by Senator Hill in the Senate and
24 House Bill 121 by Representative Holland in the House.
25 These two bills dealt with fingerprinting, doing

1 background checks during our licensing process.

2 As I understand it now -- Shan can
3 correct me or Phyllis -- we go to the graduation
4 ceremonies, I think, and provide those services to try
5 to make it convenient, you know, where they don't all
6 have to come to Jackson. So the staff and the board
7 have considered that. These bills would have mandated
8 locations be established or authorized locations
9 around the state for fingerprinting to be offered.

10 We understand, you know, that the
11 potential of that or the possible need, but you also
12 got to figure in, what is the cost, where they're
13 going to be located, who is going to staff those
14 locations, the integrity of the process. Those are
15 things that we have to be careful about.

16 Having said that, I know Shan has done
17 some work, and our executive director is very aware,
18 there is technology existing now. I think I'm
19 correct, Shan, that DPS uses this technology as well,
20 and in the future we've started mentioning and
21 starting to educate some of the legislators about
22 providing us the authority to move forward possibly
23 with some up-to-date technology to make it more
24 accessible and have our turnaround times quicker for
25 these fingerprinting.

1 We think that's something that is
2 important. It would be a great service to our
3 applicants, and that's something I know our staff is
4 committed to doing. So I just wanted to mention that.
5 Those two bills did not pass. They were not our
6 bills, but having said that, it really kind of starts
7 the discussion that that's something we need to look
8 at going forward.

9 There was also, and I want to make this
10 point. You know, you have your agenda, things you're
11 working very hard on, like the removal of
12 collaboration agreement, which we spent untold hours
13 in meetings and things working on that, but you always
14 have bills you have to react to, things that come up
15 that may not necessarily be good for the nursing
16 profession, for the board, and we watch those things
17 as well. And this next one was a concern, although I
18 think probably the intent was good, was something
19 called the Nurse Protection Act of 2018.

20 This was actually House Bill 1156. I
21 will say that the representative reached out to me
22 during the session, asked us to look at the bill. It
23 would have fundamentally changed the way we conduct
24 our hearings, the way internally we have our hearings,
25 the substance of it. Of course, we have our in-house

1 counsel, Brett Thompson, looking at it, and we had
2 some real concerns about it.

3 It was a very extensive bill. I think it
4 was 20, 25 pages, Phyllis, pretty detailed. But we
5 went immediately to the Capitol. I set a meeting up.
6 Our executive director, Ms. Montgomery, Ms. Thompson,
7 we all sat down and met with this representative, and
8 to the credit of our staff, they immediately followed
9 up with statistics and data about, you know, we almost
10 err on the side that if it's possible to have too much
11 due process, not really, but, I mean, this board goes
12 out of its way to provide everybody notice, an
13 opportunity to be heard, and a fair and just hearing.

14 We wanted to emphasize that, but we
15 didn't just emphasize it. The staff backed it up with
16 data that supported us. And I think after the
17 representative saw that and got to meet with Phyllis
18 and our staff, she, on her own accord, kind of backed
19 away from it. So that bill died as well. But that's
20 another thing about watching different bills and
21 legislation, when you see it, trying to react quickly
22 to head off something that might be a negative for us.

23 The other thing, there is a bill we're
24 watching. There is a Senate Bill 2911 and a House
25 Bill 1095. It's not -- it would not affect the

1 authority or the internal operation of the board, but
2 it would change the makeup.

3 DR. KING: Would you repeat those
4 numbers? I'm sorry.

5 MR. BOBINGER: Senate Bill 2911, 2-9-1-1,
6 House Bill 1095, 1-0-9-5. This goes to the makeup.
7 You know, there's an Employee Appeals Board. There's,
8 like three designated full-time hearing officers that
9 go to various agencies, and they kind of develop
10 expertise, Ms. Green knows. And they hear these
11 around agencies. This bill basically would eliminate
12 those three permanent hearing officers. It would
13 create a list of attorneys that could be used to hear
14 those cases.

15 While not necessarily bad, the problem
16 is, you got three people that do it extensively now.
17 You follow me? You may have some less experienced
18 folks. It could be the Board of Medical Licensure,
19 this board, any state board that has employee appeals.
20 It's just something, like I said, it doesn't affect us
21 internally, but it's just something we're monitoring
22 and watching. I just wanted to make the board aware
23 of that.

24 Something we're very proud of, and I want
25 to commend our staff and the board, and it's a bill

1 that originated with us, but it also originated with
2 the Mississippi Community College Board. I would like
3 to give them a lot of credit, Phyllis, for working
4 with the Mississippi Board of Nursing to come up with
5 a joint mutually agreeable plan to transition the
6 accreditation authority of our schools of practical
7 nursing and move them from the Community College Board
8 under this board, the Mississippi Board of Nursing.

9 And I know there was a committee that
10 studied this. I know the board vetted it. The staff
11 did a lot of background work. There again, the folks
12 at the Community College Board worked very closely
13 with us. So we got a bill crafted. We worked it,
14 attended hearings. I'm proud to report -- you might
15 want to write this down -- Senate Bill 2376 is the
16 Senate bill. It is passed out of Committee, and it is
17 pending on the Senate calendar, which means, unless
18 they did it this morning -- I don't think so --
19 probably certainly by Wednesday of next week, that
20 bill should be brought up for a vote of the full
21 Senate.

22 I do fully expect it to pass the Senate.
23 Even better news, the House version, we have a
24 companion bill in the House, 721, 7-2-1. It passed
25 the full House yesterday, February 1st. I don't think

1 there was a no vote against the bill. I think it was
2 a unanimous vote. So that made us feel good. That
3 bill passed. So we've got bills on both sides
4 working, and it has been good, had a good working
5 relationship.

6 Legislators have been very supportive.
7 We have reminded them there lots of good reasons why
8 this makes sense. One thing is the fact that just
9 Mississippi and New York are the only two states in
10 America that do not already have this under their
11 Board of Nursing, but there are other reasons. The
12 expertise that's brought by the board or staff or
13 potential staff to oversee it, just a number of things
14 to work with our LPNs and enhance and hopefully
15 provide good quality education for our folks. So I
16 think that's a good thing, and I commend the board for
17 support that.

18 The last thing I will mention is our
19 budget. In the last couple of weeks or week or two, I
20 know Phyllis and myself and Shan, I think Brett, and
21 there may have been, I can't remember, maybe a board
22 member or two, but we went and attended subcommittee
23 hearings of both the House and Senate, which is a
24 normal part of the process. You have subcommittee,
25 full committee. And I thought, Phyllis, we had

1 excellent meetings.

2 Shan had prepared some really good bullet
3 points and detailed information. We didn't want to
4 skim over anything. We wanted full transparency. We
5 wanted these guys to know exactly what we're doing
6 with our money, because we know we're spending it
7 efficiently in doing things to improve regulation in
8 the profession. And Phyllis, I think, did a very good
9 job of going into detail and explaining our budget to
10 these legislators, and it was all very positive.

11 So that process will continue. The
12 appropriation process will continue at the end of the
13 session, but at this point we feel good where we are
14 currently in that process. And at this time, if
15 anyone has a question, I will be glad to entertain it.
16 If not, I will cede the chair to the next speaker.
17 Thank you, Madam President.

18 DR. KING: Thank you, Trey. And that
19 brings us to the Executive Director Report.

20 MS. JOHNSON: Good morning. You-all look
21 so nice in your red, even the men with red ties on.
22 Dr. Brunson, I was waiting on you to wear your red
23 suit, though.

24 DR. BRUNSON: That would be asking a bit
25 much.

1 (LAUGHTER)

2 MS. JOHNSON: The Executive Director's
3 Report, I just wanted to give you a few highlights on
4 the updates. It's eNLC implementation date, we went
5 live, fully live, and it was implemented on January
6 19th of this year. Mississippi, after one week of
7 implementation, you know, we're always last, but we
8 were number 1 in the number of duplicate licensees.
9 With the implementation of the compact, we were at
10 0.02 percent the first week. I just checked with
11 Stephanie. She said, "Oh, no. We're zero percent
12 now."

13 We're still number 1, and that means a
14 lot with this transition because of the duplicate
15 licensees that have to be deactivated, activated. And
16 Mississippi is leading the pack in making sure
17 everything is being done like it's supposed to be done
18 with this new compact. And kudos Stephanie Martin,
19 who is the coordinator, one of the staff members here.
20 That's her baby. She has worked diligently and
21 trained in this. So all of the licensing staff have
22 been involved, but she is the coordinator. So, when
23 you see her, give her a kudos, attaboy, because she
24 has done a tremendous job. And she says now the bar
25 has been set, so she wants to make sure we remain

1 number 1. So give her a heads-up, a kudos on that.

2 The Administrative Code, I will let Blake
3 talk about that later. The retreat, we will be having
4 the retreat. You know, it was rescheduled because of
5 the weather conditions, the ice and the snow we had.
6 That has now been rescheduled to February the 23rd.
7 More information will be coming out from Vanessa in
8 getting with the board members on that.

9 Trey has already talked about the
10 appropriation hearings. Property audit, we had a
11 property audit done in December of the board, and it
12 went very well. Shan and her staff were responsible
13 for making sure that the audit went well and
14 everything was accounted for. We accounted for the
15 majority of things, probably about 97 percent. We
16 have a report that there are about three items that we
17 could not account for that goes way back to two
18 previous administrations. So we just have to do a
19 report, and we should be submitting that report within
20 the next couple of weeks, and I will keep you updated
21 on that.

22 Gloria Perry, you know, retired. She was
23 our senior licensing officer, and her last day was the
24 31st of January. So she was presented a plaque from
25 the State of Mississippi, and the staff gave her some

1 happies. We were very sad to see her go, because she
2 has done tremendous work here at the board.

3 Next, oh, the LPN renewals, I want to
4 tell you the number on that. 1,650 LPNs have renewed
5 as of today. We still have late renewals coming in.
6 There are approximately, probably about 3,000 LPNs out
7 there that have not renewed. So they're coming in
8 very slowly, but they are renewing. I just wanted to
9 give you that number.

10 Visibility, and I think Teresa had
11 mentioned the MNA Capitol Day, MANP Capitol Day. We
12 also, you know, supported them in those efforts as
13 well. Our Capitol Day was during the ice and snow.
14 It was very well attended, and I appreciate the board
15 members that showed up that assisted with that.
16 Sandra Culpepper drove all the way through the ice and
17 snow. And I'm, like, you have lost your mind, but she
18 did. She wanted to be there and show her support. So
19 I do appreciate all the board members that did come to
20 our Capitol Day. We had a lot of communication
21 involving the legislators, and a lot of people stopped
22 by the table.

23 Today we support Go Red. Everybody looks
24 nice. Even the members of the audience that wore
25 their red, kudos. I'm hoping we can get a picture of

1 everything before we disassemble.

2 The Galloway Church, I attended the
3 Community College Board Presidents' Breakfast, and
4 that was a couple of weeks ago, if I'm not mistaken,
5 and it was a very good response from the presidents
6 there. I had conversations with several of them. I
7 have some follow-up visits with some others. But I
8 think by being there and answering some of the
9 questions that a couple of the presidents had, they
10 now have a different appreciation for the Board of
11 Nursing. So I think it was a well attended meeting.

12 Brett attended the Leadership Summit that
13 UMC sponsored last week, and she was the presenter and
14 gave an excellent presentation. It was well received,
15 and everybody talked volumes about how well she
16 presented and the information that was presented. So
17 she did a great job.

18 We attended the Deans and Directors
19 Meeting as well. And MEC Capitol Day, thank you to
20 the board members that were able to participate in
21 that as well. That's always a fun time, and you get a
22 chance to network with a lot of different people.

23 And the Chemical Diversion Conference,
24 that's the one I attended in Dallas in December since
25 our last board meeting, and that was on DEA Rules and

1 Regulations, which was very informative. They are
2 going to offer that every two years, and if you have
3 an opportunity, I will keep the board members apprised
4 of it. And when it comes up again, I highly recommend
5 it. Very good information.

6 The Rules Committee, Brett also attended
7 that in Chicago this week, as a matter of fact. And
8 kudos to Jan Collins, who I want to recognize, one of
9 our board members I would like to recognize. And
10 don't hit me if I get this wrong, but the Madison
11 County Business and Leadership Foundation.

12 MS. COLLINS: The Madison County Business
13 League and Foundation.

14 MS. JOHNSON: Business League and
15 Foundation. I knew I was going to get that "L" wrong,
16 but anyway, we attended their breakfast. It is always
17 a very good networking opportunity, as well as we
18 learned a lot of things that are happening in Madison
19 County. And so we attended that. But I want you to
20 know, we want you to recognize Jan today, that she was
21 nominated and selected as a Mississippi top CEO by the
22 Mississippi Business Journal. She is the executive
23 director of MCBLF. So, if you would, join me in
24 recognizing Jan on that.

25 (APPLAUSE)

1 MS. JOHNSON: A major achievement. Jan
2 always makes sure that I'm taking my pictures
3 correctly. I like that about her.

4 Okay. I did want to mention the LPN
5 transition. Trey jogged my memory on that. We have
6 been down at the Capitol for the past two weeks, three
7 weeks maybe, Shan, Brett, Trey, and myself and then
8 some board members. Dr. King has been there. Blake
9 has been there. So it has been an awesome
10 opportunity. This is my first full legislative
11 session as the ED. And so learning the political
12 ropes and the political games, I think I have learned
13 quite a bit over the past three weeks.

14 But the LPNs, we have had great responses
15 from individuals at the legislature about the
16 transition, and I think that speaks volumes of the
17 board, the board members, and everybody that
18 participated. Our stakeholders in the audience, I
19 know Linda Shows and other LPN faculty and
20 representatives in the audience, it speaks volumes,
21 and we are committed to making sure, once it gets
22 through this final process, that we do what needs to
23 be done to ensure that our LPNs are educated the best
24 that they can possibly be and monitor that process.

25 And I think the next slide, MNA Summit,

1 and Teresa covered that, on next week, the Legislative
2 Summit, on the 6th. And MANP has a conference,
3 Pharmacology and Controlled Substances at USM. That's
4 tomorrow, and I will be speaking at that, along with
5 Tina Highfill, our director of Advanced Practice.
6 They had got me going at 8 o'clock in the morning for
7 two hours. So I will be speaking at that.

8 And the Board of Medical Licensure Rules
9 and Regs for Controlled Substances, we will be meeting
10 with the Board of Medical Licensure to look at those
11 rules and regs for controlled substances on next
12 Thursday here at the board at 1 o'clock to look at
13 what we're going to do and what they have already
14 proposed for their licensees, because we want some
15 consistency in regulation with the controlled
16 substance issue. So I just wanted to let you know
17 that.

18 Next is the budget, Shan.

19 MS. MONTGOMERY: Good morning. Each of
20 you should have a detailed copy of the budget report.
21 I will give you a high overview. We have expended
22 about 34 percent of our budget so far. We usually
23 expend about 50 percent. We have not expended the
24 funds yet for the ONW scholarships and the payment for
25 the PMP Program. Once we expend those two

1 expenditures, we will be at about 45 percent.

2 We have two areas where we are low in
3 expenditures. One would be travel, and I thank Jan
4 for bringing that to our attention, because it is a
5 hot topic right now with the legislators about travel
6 spending, but we are about 26 percent low in that
7 particular category. And that's monitoring how we
8 spend where we go with the travel.

9 We are also about 42 low in salaries, and
10 that's because we have some vacant pins. They will be
11 filled hopefully by the end of this fiscal year. One
12 are that we're high in would be contractual, and
13 that's because I ended up having to post the December
14 rent in January. Other than that, that's the only
15 difference in contractals.

16 Right now we are where we should be. I
17 feel good about where we our with our budget, that we
18 will be expending all of that. And I think Trey and
19 Phyllis covered the upcoming budget and what we
20 requested. I think it's a little over 5 million. Any
21 questions?

22 (NO VERBAL RESPONSE)

23 DR. KING: So we need a motion to approve
24 the budget report.

25 MS. COLLINS: So moved.

1 DR. KING: Motion made by Jan Collins.

2 MS. JACKSON: Second.

3 DR. KING: Seconded by Ms. Shirley

4 Jackson. Any discussion?

5 (NO VERBAL RESPONSE)

6 DR. KING: All in favor?

7 (ALL IN FAVOR)

8 DR. KING: Any opposed?

9 (NO VERBAL RESPONSE)

10 DR. KING: Any abstainers?

11 (NO VERBAL RESPONSE)

12 DR. KING: Okay.

13 MS. JOHNSON: Madam President, if I
14 would, I forgot, you know, the Midyear Conference is
15 in March. So hopefully all board members that have
16 said they wanted to go, you have gotten everything
17 squared away. If not, just see Vanessa or myself
18 after the meeting.

19 DR. KING: Okay. Thank you. Okay. So
20 that brings us to committee reports. And in Executive
21 Committee, we discussed and want to recommend at least
22 one agreed settlement proposal meeting every other
23 month, alternating from the current schedule to begin
24 in May of this year to keep us on track and up to date
25 with the settlement proposals and not get behind on

1 that week.

2 DR. CATLEDGE: Say that again.

3 DR. KING: That's okay. To recommend at
4 least one agreement settlement proposal meeting every
5 other month alternating from the hearing month to
6 start in May.

7 MS. GREEN: You're still going to have it
8 during the hearing months. You're just going to add
9 an exact day.

10 DR. KING: An extra day.

11 MS. LINDSEY: So, well, can I ask a
12 question?

13 DR. KING: Of course.

14 MS. LINDSEY: Would that mean that board
15 members will have to sign up for an extra Tuesday in
16 addition?

17 DR. KING: I don't necessarily think that
18 we have to do it on a Tuesday. I think we can put a
19 schedule together that would be convenient for anyone,
20 like, if there's day of the week that's better to do
21 that or available.

22 DR. CATLEDGE: But it would mean board
23 members would have to sign up?

24 DR. KING: Right. Yes.

25 MS. MONTGOMERY: Do you want to give them

1 the reason why?

2 DR. KING: From us just being behind and
3 trying to help augment some of the efficiencies of
4 getting the legal agreed settlement proposals and
5 hearings and everything up to date so that we can get
6 the information back out to the licensee of whatever
7 those are. So it's just to try to help augment some
8 of the efficiency parts of operations.

9 MS. GREEN: And so that we won't have to
10 stay for hearings until 2 o'clock.

11 DR. KING: We left here at 2 o'clock this
12 morning.

13 MS. MONTGOMERY: Yes. That's what I was
14 trying to get you to say.

15 MS. JOHNSON: And if I may, kudos to the
16 staff and the board members. They were here until 2
17 o'clock this morning, and they're back. So, if you
18 see some of them nodding off -- you're not excused,
19 Dr. Brunson, because you weren't here.

20 (LAUGHTER)

21 MS. JOHNSON: But that's why. And there
22 are other boards that have this in place. I realize
23 it's a change, but there are other boards that we have
24 visited that have something very similar to this in
25 place, and it makes for a much more efficient -- you

1 will get out of here by 4 or 5 o'clock, like a normal
2 business day on your regular hearings. So it is
3 something to consider.

4 We did discuss that. Shan and I know
5 that North Carolina does, and there are a couple of
6 other boards that do it that way. And, you know, I
7 would just offer that you at least give it a pilot
8 try, and I think it would be well enough in advance
9 that all of you-all will benefit greatly from it, as
10 well as the staff and the licensees that have to come
11 here and sit as well all day and all night.

12 DR. KING: So the question we are
13 debating up here is, can we do it three, or do we have
14 to have four, trying to make it a less -- so we will
15 do four, two LPNs, two RNs. So, I guess, is there any
16 other --

17 DR. STANFORD: We need four in case of a
18 conflict and somebody needs to recuse themselves.

19 DR. KING: My thought process on that,
20 just thinking outside the box, is that we could push
21 that to the next month for that, or the hearing panel
22 time for that one if there was a time that someone
23 needed to recuse themselves. Just a thought. So the
24 recommendation is that we maintain the four. So do we
25 of have other discussion around this option?

1 (NO VERBAL RESPONSE)

2 DR. KING: Okay. So the motion has come
3 out of executive session. So we can go to a vote.
4 All those in favor of adding a meeting every other
5 month from current schedule to begin in May of 2018?

6 (ALL IN FAVOR)

7 DR. KING: All opposed?

8 (NO VERBAL RESPONSE)

9 DR. KING: Any abstainers?

10 (NO VERBAL RESPONSE)

11 DR. KING: Okay. Motion carries, then,
12 unanimously. All right. So, and then motion to
13 accept the administrative denials?

14 DR. STANFORD: I make a motion.

15 DR. KING: Motion made by Dr. Stanford.

16 MS. JACKSON: Second.

17 DR. KING: Seconded by Ms. Shirley
18 Jackson. All in favor?

19 (ALL IN FAVOR)

20 DR. KING: Any opposed?

21 (NO VERBAL RESPONSE)

22 DR. KING: Any abstainers?

23 (NO VERBAL RESPONSE)

24 DR. KING: Motion carries. Okay.
25 Compliance Committee, Ms. Darlene?

1 MS. LINDSEY: Compliance Committee at
2 this time doesn't have anything to bring before the
3 board.

4 DR. KING: Thank you. Advanced Practice
5 Committee, Dr. Stanford?

6 DR. STANFORD: We have one motion from
7 the Advanced Practice Committee. "I move that an
8 Attorney General's opinion be obtained regarding
9 whether or not the Board of Nursing has the authority
10 to grant controlled substance prescriptive authority
11 for all advanced practice registered nurses.

12 DR. KING: I am not going to repeat that
13 motion. I'm just going to say the motion is on the
14 floor regarding the controlled prescriptive authority
15 for APRNs at this time. So, all those in favor for us
16 obtaining the AG opinion?

17 (ALL IN FAVOR)

18 DR. KING: Any opposed?

19 (NO VERBAL RESPONSE)

20 DR. KING: Any abstainers?

21 (NO VERBAL RESPONSE)

22 DR. KING: Motion carries. So we go to
23 the Practice Committee, Ms. Shirley Jackson?

24 MS. JACKSON: Madam Chair, we have
25 nothing to report at this time.

1 DR. KING: Thank you. Administrative
2 Code, I think, was Alton going to report? He chaired
3 for us in your absence.

4 MR. WARD: Certainly. Just to reiterate
5 what Phyllis had said earlier, we do have some
6 Administrative Code changes that were placed in Part
7 2840, Advanced Practice. I was unable to attend our
8 last meeting where those changes were made regarding
9 controlled substances, and so I would like Mr. Shaw to
10 speak.

11 MR. SHAW: Basically what we did is
12 working in conjunction kind of with the Board of
13 Medical Licensure. They are enacting certain rules
14 and regulations as far as how controlled substances
15 are done. We just want to make sure we mirror and
16 match up to that so that people aren't trying to
17 follow two different sets of rules. So we just kind
18 of adjusted some of them to fall in line. I'm sure
19 there's going to be some more changes coming behind
20 that in how you prescribe controlled substances.

21 MS. JOHNSON: If I may, I would just like
22 to, the ad hoc committee had asked Westley Mutziger
23 and myself to compose some rules and regulations,
24 draft that rather, and I did do that and submitted
25 them to the Board of Medical Licensure. I know

1 Dr. Brunson has looked at them and some other board
2 members, as well as the MBN director had looked at
3 them, because we were needing to report that to the
4 governor as well. And there were some minor changes,
5 but pretty much we're on track to be pretty
6 consistent, just a few minor changes with the number
7 of days and some other things. And hopefully we can
8 finalize that on Thursday.

9 DR. KING: Thank you. The next one is
10 the LPN transition. In Sandra's absence, we got kind
11 of the legislative update already regarding that. And
12 those meetings are postponed and will not reconvene
13 until this legislative session is over so that we can
14 begin to work on the exact MOU of what that will look
15 like. And then, as soon as that is, we will get it
16 out to you. Everybody will know when that meeting is.
17 Sandra has done a great job in chairing that.

18 So, the next meeting is the Emergency
19 Practice and Standards Advisory Committee, which we
20 don't have anything to bring out now, except for our
21 next meeting is scheduled for February 16th at noon.

22 And the hearing panel from yesterday,
23 after adjournment, will meet to continue deliberations
24 so that we can finish. At 2 o'clock this morning, it
25 was time for us to take a mental break.

1 The other thing, I want to go back to
2 where we changed the agenda. And you-all have
3 received this packet that includes the hearing minutes
4 from February, April, and June, which are going to
5 need approval. And so, at this point, February,
6 April, and June?

7 MR. SHAW: Last year.

8 MS. MONTGOMERY: 2017.

9 DR. KING: And, so, with the amount of
10 information that's in here, I will entertain how we
11 would like proceed on accepting this, or if we want to
12 hold this and schedule a conference after we've had a
13 chance to look through them and make sure that we can
14 approve these.

15 DR. CATLEDGE: These are just hearing
16 minutes.

17 DR. KING: They are only hearing minutes.

18 MR. SHAW: And I think sometimes people
19 would think we're approving the minutes. We're just
20 accepting the minutes into the record is basically the
21 gist of what's going on. So it just takes the minutes
22 from the committee and puts them into the main record.

23 DR. CATLEDGE: I would like to make a
24 motion that we would just accept the hearing minutes
25 that have been brought before us, that we would be

1 able to move forward. So I would like to make the
2 motion that we would accept these hearing minutes from
3 April, May, and June, 2017.

4 DR. KING: Thank you, Dr. Catledge.
5 Second?

6 DR. STANFORD: Second.

7 DR. KING: Second by Dr. Teresa Stanford.
8 All those in favor?

9 MR. WARD: It was actually February,
10 April, and June.

11 DR. CATLEDGE: February, April, and June?
12 I would like to make a correction to that motion and
13 that we would accept the minutes from February, April,
14 and June of 2017.

15 DR. STANFORD: Second.

16 DR. KING: And that is still seconded by
17 Dr. Stanford. All in favor?

18 (ALL IN FAVOR)

19 DR. KING: Any opposed?

20 (NO VERBAL RESPONSE)

21 DR. KING: Any abstainers?

22 (NO VERBAL RESPONSE)

23 DR. KING: Motion carries. And that
24 would bring us to --

25 MS. MONTGOMERY: For your proposals, your

1 ASP proposals, your ASP proposal minutes. That was
2 your hearing minutes you just did.

3 DR. CATLEDGE: She did that before you
4 came in.

5 MS. MONTGOMERY: Oh, okay. Sorry.

6 DR. KING: Okay. So can I get a motion
7 to adjourn?

8 MS. COLLINS: I so move.

9 MS. GIPSON: Madam President, before we
10 adjourn, I wanted to thank the board and the Board of
11 Nursing for supporting our conventions in the past.
12 Every year we have conventions, and we have students
13 that attend our conventions. So we are asking for the
14 board, if you would, please support us in providing us
15 with the bags that we need for this year for the
16 conventions, the two conventions for the joint
17 endeavor.

18 MS. JOHNSON: We would be more than happy
19 to. We have supported the LPN Association in the
20 past. And if you have never been, I had the
21 opportunity to go. I think, Linda, I went one year at
22 the onset, and it looked like they have a ball. So I
23 just want to go back and hang out with them. But,
24 yeah, it is a good event, well attended by the LPNs,
25 and Shan and I will get together, and we will be happy

1 to look at providing those bags as we have done in the
2 past.

3 MS. GIPSON: Thank you so much.

4 DR. KING: Can I get a motion for this
5 joint endeavor for education purposes?

6 MS. GIPSON: Madam President, I would
7 like to make the motion to -- for the Board of Nursing
8 to support our conventions for educational purposes.

9 DR. CATLEDGE: I second that motion.

10 DR. KING: We have a motion by
11 Ms. LeKathryn Gipson, seconded by Dr. Catledge. Any
12 discussion?

13 (NO VERBAL RESPONSE)

14 DR. KING: All in favor?

15 (ALL IN FAVOR)

16 DR. KING: Any opposed?

17 (NO VERBAL RESPONSE)

18 DR. KING: Any abstainers?

19 (NO VERBAL RESPONSE)

20 DR. KING: Motion carries. Okay. So now
21 we would like a motion to adjourn.

22 MS. COLLINS: I so move.

23 DR. KING: Okay. Jan is our steady.

24 Motion by Jan Collins. Second?

25 DR. STANFORD: Second.

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DR. KING: Second by Dr. Stanford. All
in favor?

(ALL IN FAVOR)

DR. KING: We are adjourned.
(MEETING ADJOURNED AT APPROXIMATELY 11:58 A.M.)

* * *

CERTIFICATE OF COURT REPORTER

I, ASHLEY C. HAGG, Certified Shorthand Reporter and Notary Public in and for the State of Mississippi at large, hereby certify that the foregoing pages contain a full, true, and correct transcript of the proceedings as taken by me at the time and place heretofore stated in the aforementioned matter and later reduced to typewritten form by me to the best of my skill and ability.

I further certify that I am not in the employ or related to any counsel or party in this matter and have no interest, monetary or otherwise, as to the final outcome of this proceeding.

WITNESS MY SIGNATURE AND SEAL, this the 21st day of February, 2018.



Ashley C Hagg

ASHLEY C. HAGG, CSR
CSR NO. 1178

My Commission Expires:
July 1, 2018