

BUSINESS MEETING

THE MISSISSIPPI BOARD OF NURSING
BUSINESS MEETING

DECEMBER 10, 2021

PROCEEDINGS

taken on Friday, December 10, 2021,
commencing at approximately 11:05 A.M.
at the Mississippi Board of Nursing
713 South Pear Orchard Road
Plaza II, Suite 300
Ridgeland, Mississippi

REPORTED BY: CYNTHIA HARRIS, RPR, CCR, #1828
SOUTHERN STENO REPORTERS
3541 Highway 13 South
Morton, MS 39117
(601) 507-0849

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APPEARANCES

BOARD MEMBERS IN ATTENDANCE IN PERSON:

- ALTON SHAW, MSN, FNP-C (PRESIDENT)
- T.J. ADAMS, RN, BSN, MSHA (VICE PRESIDENT)
- SANDRA CULPEPPER, LPN (SECRETARY)
- MARY STEWART, PhD, RN (TREASURER)
- SHIRLEY JACKSON, LPN
- NANCY NORRIS-JOHNSON, LPN, II, CPT
- JEREMY L. CUMMINS, LPN, LHNA
- JANIE CLANTON, RN
- MELISSA KING, DNP, FNP-C
- JAN COLLINS, CONSUMER

BOARD MEMBERS IN ATTENDANCE VIA ZOOM:

- LAURA MOORE, MSN, NP-C
- LACEY T. GENTRY, MSN, RN

ALSO PRESENT:

- EDWARD WIGGINS, JR., ESQUIRE
- SPECIAL ASSISTANT ATTORNEY GENERAL

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PROCEEDINGS

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MR. SHAW: It is 11:05. We'll go ahead and call the meeting to order.

Ms. Jackson, would you mind opening us up?

MS. JACKSON: I'll be graciously happy to. If everyone will please bow your heads.

(Prayer.)

MR. SHAW: As stated previously, we do have a quorum.

Do I have a motion we approve the agenda?

MS. JACKSON: I make a motion.

MR. SHAW: Make a motion from Ms. Jackson. Second?

MR. CUMMINS: Second.

MR. SHAW: Jeremy. All in favor?

BOARD PANEL: Aye.

MR. SHAW: Motion carries.

We have first up, Dr. Dobbs. Is he on the line?

Let him go ahead and speak because I understand he has another engagement.

DR. DOBBS: Yeah, and I'll go relatively quickly, and then let you guys have some time for questions or comments.

1 Can y'all allow me to share my screen? If
2 y'all could allow me to share my screen or maybe make
3 me host or co-host.

4 DR. KING: We're working on it.

5 DR. DOBBS: Okay, great.

6 DR. KING: Sorry.

7 DR. DOBBS: Can y'all see it?

8 DR. KING: Not yet.

9 MR. SHAW: Give us one second. It's
10 shared on the laptop; he's trying to get it pulled up
11 on the big screen for us. All right. You're ready to
12 share again. Good deal; we can see it.

13 DR. DOBBS: So I'll go over kind of where
14 we are with the COVID pandemic real quickly.

15 You can see that, you know -- we, obviously,
16 all know that we had a pretty horrific Delta surge
17 that led to a lot of cases. I mean, we had a -- for a
18 while, we were losing 200 people a week to COVID.

19 We've had a steady decline, but we've seen in
20 recent weeks, a little bit of a rebound in the total
21 number of COVID cases. We've had a little bit of a
22 rebound in deaths.

23 We're not entirely surprised because we knew
24 that folks were starting to get together, sort of mask
25 use is dropping off. The holidays are always a stress

1 with Halloween and then with Thanksgiving, but it
2 certainly could have been worse. We are seeing a
3 rebound, but it's not as bad as it potentially could
4 be.

5 But if we look at where we're going in the
6 future, we do have some early predictors. We have the
7 surveillance networks we use. One of them is for
8 COVID-like illness. One of them is for flu. And you
9 can see we've had an increase in our COVID-like
10 illness and our flu-like illness over the past week or
11 so. That is concerning that we're going to see
12 ongoing number of cases and hospitalizations. All
13 this information -- this information is on our
14 website.

15 We do want to continue to reiterate that,
16 although some people can get COVID if they've been
17 vaccinated, the risk of death and severe disease is
18 much improved. For different age groups, the risk is
19 a little bit different. If you're 40 to 49, there's a
20 12-fold risk reduction of being infected, 12-fold risk
21 reduction of being hospitalized, and about 100-percent
22 protection for the previous month. So we're seeing
23 that folks aren't dying, especially if they're
24 younger.

25 And even for 50 to 64, we see a 6-fold risk

1 reduction in death if you've been vaccinated. And if
2 you're 65 to 74, again, it's about an 85 percent
3 protection from death. And if you're 75 and older,
4 again, 6-fold reduction. So your capacity to not have
5 severe illness or die is much improved if folks are
6 vaccinated.

7 That's one of the reasons why we also want to
8 make sure people get boosters because a lot of these
9 folks who are older or even the small number, the vast
10 majority of them are un-boosted. So it's important to
11 remember --

12 Kind of like a flu shot -- we wouldn't take a
13 flu shot last year and consider it to cover us for
14 this year. A lot of people are about a year out from
15 their first COVID shots, and so it's time to get a
16 booster, even from that concept.

17 We also know that it's going to help us with
18 Delta and Omicron. I'll talk about that in a second.

19 I do want to touch real quickly on COVID
20 vaccine safety. We have a growing and phenomenal
21 overwhelming amount of data showing how phenomenally
22 safe, especially the mR -- mRNA vaccines are. Looking
23 at millions of cases, they're seeing no increased
24 rates of adverse events; although, rarely we do see
25 anaphylaxis. You can be allergic to anything, so

1 that's not too surprising. Again, this doesn't mean
2 that people die; it means they had a reaction, and
3 they were treated. You know, that's something that's
4 totally treatable in the context of medical care.

5 We also know that people who have COVID
6 vaccine are less likely to die for any cause by
7 significant margin than people who are not vaccinated.
8 And there's no higher risk of death from other causes
9 among vaccinated.

10 It's important to know that some of the things
11 that the fearmongers were saying about bad things from
12 COVID vaccine have not come to fruition. So please,
13 if you've been sitting on the fence, know that the
14 safety data is extremely strong, no increases of
15 miscarriage, but in contrast COVID does clearly
16 increase death among pregnant women and doubles the
17 rate of stillbirth.

18 So information is to keep going forward. We
19 want to protect everybody, including pregnant women.

20 We're encouraging everyone to make a holiday
21 safety plan because we're going to see a lot of cases.
22 We're almost certainly going to see a surge with
23 travel and people over the holidays. That doesn't
24 mean something bad has to happen.

25 Go ahead and make a plan about getting your

1 boosters; make a plan about where you can get tested.
2 Either people are visiting you here or if you're going
3 out of town in Mississippi or other parts of the
4 country, make a COVID safety plan. Find out where you
5 can get tested in case you need it. Maybe buy some
6 at-home kits that you can have with you in case you
7 need it. I have some. It certainly is nice to be
8 able to test yourself if you're wanting to without
9 having to, you know, go to a lot of the hassle.

10 But keep in mind, there's the flu out there,
11 too. So if you're sick, we still strongly encourage
12 people to go ahead and get medical attention. And
13 also know where to get monoclonal antibody treatment.
14 In Mississippi, we have a fantastic network of
15 monoclonal antibody treatment centers. Know where you
16 would go if you get COVID so that you can go, or if
17 you have a family member visiting from out of town,
18 know where they can get treatment in your community.

19 A little bit on the Omicron real quickly.
20 It's a new variant, initially worrisome because it had
21 numerous mutations, especially on the spike protein,
22 the part of the coronavirus that binds to our cells.
23 And that made us worry about a lot of things,
24 including the contagiousness and the immunity.

25 We're concerned that it does look like it's

1 more contagious for a whole host of reasons - more
2 contagious than Delta, although not in the same
3 important order of magnitude as Delta was from Alpha.

4 We do have concerns about the ability of the
5 Omicron variant to get around vaccine-boost immunity.
6 We're worried about it getting around infection
7 immunity and monoclonal antibody treatments.

8 I can tell you what we know so far. It does
9 look like that there is retained efficacy of the
10 vaccines, but it's not as good. But if you get the
11 booster, especially with Pfizer - they have data - it
12 looks like you have pretty strong protection. So it's
13 really important right now if you hadn't had your
14 booster dose yet, go ahead and get your booster.

15 We do know that people can get Omicron even if
16 they've had Delta recently. They saw a lot of that in
17 South Africa. So having natural infection -- having
18 infection does not mean that you're protected against
19 Omicron, so it's still important to look at getting a
20 vaccine.

21 And then monoclonal antibodies - this is a
22 real concern - it looks like our most common
23 monoclonal antibodies that we're using, REGEN-COV,
24 Bamlanivimab and Estesevimab, may not work as well
25 against Omicron. So that makes it extra important to

1 get your boosters because we don't have that backstop
2 of our most commonly-used monoclonal antibodies.

3 Another monoclonal that is not widely
4 available called Sotrovimab looks like it's probably
5 still effective - we don't know for sure - but that
6 probably is one for Omicron.

7 Right now in Mississippi, we only have one
8 confirmed case. All the cases that we have are Delta,
9 and these monoclonals work great. So if you get
10 COVID, go get monoclonals, and you can get the normal
11 stuff through Regeneron and the BamA.

12 Other things we know: It seems like it's more
13 contagious. Again, vaccines protect, but booster is
14 needed for maximal effect. And it might be a lesser
15 illness; we don't know for sure. A lot of the cases
16 we've seen have been relatively mild symptoms or
17 asymptomatic. It's hard to know what that means, in
18 general, because most of the folks with mild or
19 asymptomatic were vaccinated; right. So does that
20 mean they're defective? What's going to happen when
21 unvaccinated people get it? Are they going to do
22 well, or are they going to be really sick?

23 We also don't know if it's because we're doing
24 such extensive surveillance on travelers that we're
25 getting a lot of mild cases. So we're hopeful that

1 it's less severe, but please don't hang your hat on
2 that.

3 If you want to read more about it at this
4 website here, it's all the updates the CDC has on the
5 Omicron variant. I encourage you to read more and
6 more about that.

7 Just a takeaway message. COVID is not over.
8 Please continue, you know, reasonable safety measures.
9 It's still recommended to wear a mask indoors in
10 public.

11 You know, think about doing things outdoors if
12 you can, if the weather permits. And also, you know,
13 maybe limit some of your larger gatherings, especially
14 if you're immunocompromised or have weakened immune
15 systems.

16 Get your booster. If you haven't had a
17 booster yet, please get your booster and make a
18 holiday safety plan, as we discussed earlier.

19 And that is all I had to share formally.

20 Does the board have any questions that they
21 would like to share?

22 And do I need to make someone else the
23 presenter, or do y'all have that still?

24 MR. SHAW: Any questions?

25 (No verbal response.)

1 MR. SHAW: There being no questions at
2 this time, Dr. Dobbs, we appreciate the time you took
3 out to give us the information.

4 DR. DOBBS: Y'all have a great weekend.
5 Thank you.

6 BOARD PANEL: Thank you.

7 MR. SHAW: All right. Moving on down the
8 list. ONW?

9 (No verbal response.)

10 MR. SHAW: Dr. Burks?

11 DR. BURKS: Good morning, everyone. I do
12 not have any items to bring forward for
13 recommendation, but I do have just a status report.

14 The Mississippi practical nursing programs,
15 they completed their annual report, and in your
16 packet, you'll see copies of that pertinent
17 information.

18 There's a list of the approved practical
19 nursing programs in the state with their last -- the
20 date of their last accreditation and also their next
21 accreditation visit.

22 Also, you will see there is a graph that shows
23 the trend of the PN graduates by the academic year
24 from 2015 to 2020. Those are the 15 schools in the
25 state, and you can see the number of graduates that

1 they have presented since 2015.

2 The next graph just shows the PN-NCLEX rate,
3 again, from 2015 to 2020. And you'll see the trends
4 in that.

5 Most of the schools have remained somewhat the
6 same or consistent with their NCLEX pass rates.

7 And last is the completion data by the year.
8 And for those who have individuals to enter, they do
9 have different parameters in terms of the completion.
10 So with the students that they admit, you see those
11 numbers and percentages, and, again, this covers from
12 2015 to 2020. So it gives you a bird's-eye view of
13 what the schools have been doing throughout the state
14 for the last five years.

15 Also, Concord Career College, they're
16 currently in stage 2 of qualifying for initial
17 accreditation. They have submitted their self-study
18 to establish a new program, and we have a site visit
19 scheduled for February 2022.

20 The site-visit team has been selected. It
21 consists of Dr. Chequitia Dixon; she's the dean of
22 health sciences at Coahoma. Dr. Christi Blair; she is
23 the division chair at Holmes. And Lisa Pearson; she
24 is the program director at Itawamba.

25 And the purpose of this visit is for us to

1 clarify, amplify, and verify the information that they
2 have submitted in their self-study. So, again, this
3 would be a face-to-face visit, and we will look at
4 their program - the program that they're proposing -
5 from top to bottom. This will also include speaking
6 to their administrators and also having a visit to
7 those proposed clinical sites as well.

8 The last thing I have is information on an
9 illegal practical nursing program that is attempting
10 to practice in the State of Mississippi. This program
11 -- they have been advertising online as a
12 24-week-online practical nursing program. There are
13 no online practical nursing programs in the state of
14 Mississippi; I just want everybody to understand that.

15 Their advertisement states that they're going
16 to start January 2022. They are considered illegal
17 because they have not applied for a certificate of
18 registration or an agent's permit as required by MCCB,
19 Office of Proprietary Schools. This institution is
20 not recognized or authorized by the United States
21 Department of Education Agency Accreditation, and they
22 have not collaborated with the Mississippi Board of
23 Nursing to review or discuss the application process.

24 We have been working with the MCCB, Office of
25 Proprietary Schools, and sending out letters and

1 notifications to these individuals to let them know
2 that they are not an approved school, and that if they
3 try to go forward, they will be practicing illegally
4 and legal actions will be taken.

5 That is the end of my status report.

6 MR. SHAW: Thank you. Very interesting
7 end to the status report. Anybody have any questions
8 for Dr. Burks?

9 MS. CULPEPPER: I do. Are we able --

10 MS. COLLINS: Have y'all got some kind of
11 disclaimer or something on the website, "red alert,"
12 like this is happening? Can you do that?

13 MS. JOHNSON: Well, the MCCB, because
14 they're a proprietary school, is the first step that
15 they have to go to. And I do know that they are in
16 talks with the AG's office, if I'm not mistaken,
17 because that has to be reported to the AG's office.
18 So we're at that stage right now.

19 We've had a couple of - and Dr. Burks can
20 probably elaborate on that more - LPNs that knew that
21 this didn't look right and contacted the Board of
22 Nursing because I think some had even paid some money
23 to go to this program. But when they got to looking
24 at this, said this doesn't look right.

25 So, Dr. Burks, do you want to elaborate on

1 that?

2 DR. BURKS: Yes. They've actually paid
3 money. They were advertising the school as \$2,500.
4 So individuals have paid their money. They have now
5 reached out to the AG's office because this
6 institution is refusing to return their money to them.

7 They collected their money through PayPal, and
8 when PayPal was notified, the individuals had cleared
9 out the account, so that account no longer existed.

10 This actually was brought to our attention
11 about three weeks ago. Last weekend what happened
12 was, they changed the name of their institution; they
13 placed the information back on social media with a
14 different name; and they left that information up.

15 So more people was reaching out saying, "Is
16 this legitimate?" because one of their statements that
17 they had on the information is that they had spoken to
18 the board.

19 DR. KING: What's the name of the
20 institution?

21 DR. BURKS: Allied Certified Technician.

22 MS. CULPEPPER: And I guess my question,
23 Dr. Burks, do we have any data to know how many people
24 have actually paid for this course?

25 DR. BURKS: I do not know how many have

1 actually paid, but those individuals that did report,
2 they sent their information to the board of where they
3 have proof that they paid and the contact.

4 And the contact -- reached out to that number
5 that was on their site. That number is no longer in
6 service. They had an address in Mississippi. Now
7 it's showing an address in Alabama, and they are not
8 approved in Alabama either. And they also had a
9 Louisiana number. So they are hitting all the states.
10 We're just trying to collect all of this information.

11 MS. CULPEPPER: Are the other states
12 joining in with us to --

13 DR. BURKS: They are aware because once
14 they -- I see that they have an address or a number to
15 another state, I reach out to that state, and they say
16 they don't have anything on them.

17 MS. CULPEPPER: And are they able to
18 locate exactly who these persons are that have done
19 this?

20 DR. BURKS: The original individual, we
21 have that person's name, but since then, we have no
22 names for the updated people.

23 MS. JOHNSON: They change as soon as they
24 know that somebody is on their tail. They wipe off
25 the Facebook. It's a major concern. But right now

1 it's really for the AG and MCCB because we haven't
2 approved them, but there's a lot of legal stuff that
3 needs to be -- it's kind of a fraudulent-type program.

4 MS. CULPEPPER: Is there some sort of a
5 media push -- I'm just curious for my own knowledge.
6 Is there some sort of media push we can put out there
7 for people to really check before they sign up into
8 these online courses that we know are not...

9 MS. JOHNSON: We talked about it. We
10 haven't confirmed with Brett what we need to put on
11 our website just to alert them. We just usually let
12 them know prior to enrolling in any school, please
13 contact the Board of Nursing, you know. But we've
14 talked about it. We haven't confirmed what we need to
15 put out there yet. We're just working with MCCB right
16 now with this because it keeps popping up every week
17 --

18 DR. BURKS: Every weekend.

19 MS. JOHNSON: -- under a different name.

20 MS. CULPEPPER: Well, kudos to you,
21 Dr. Burks, for catching this. Thank you.

22 MS. JOHNSON: We're working on it.

23 DR. BURKS: We're just instructing
24 everybody, encouraging everyone if they hear or see
25 something, please to notify us, and that's what

1 they've been doing.

2 MR. SHAW: Any other questions for
3 Dr. Burks? Thank you.

4 And I'll just let the board know, we didn't
5 completely skip ONW. Sandra's going to give a report
6 towards the end.

7 Board business: I have a motion we accept the
8 business meeting minutes from October 8th, 2021.

9 MR. ADAMS: I make a motion.

10 MR. SHAW: Motion, T.J.

11 Second?

12 MR. CUMMINS: Second.

13 MR. SHAW: Jeremy.

14 All in favor?

15 BOARD PANEL: Aye.

16 (All in favor.)

17 MR. SHAW: Motion carries.

18 I have a motion we accept the agreed
19 settlement proposal minutes from October 2021.

20 MS. NANCY NORRIS-JOHNSON: I make a
21 motion.

22 MR. SHAW: I have a motion, Ms. Nancy
23 Norris.

24 Second?

25 MR. CUMMINS: Second.

1 MR. SHAW: Jeremy.

2 All in favor?

3 BOARD PANEL: Aye.

4 (All in favor.)

5 MR. SHAW: Motion carries.

6 Do I have a motion we waive the reading of the
7 names of motions?

8 MS. NANCY NORRIS-JOHNSON: I make a
9 motion.

10 MS. SHAW: Have a motion from Ms. Nancy
11 Norris-Johnson.

12 MS. JACKSON: Second.

13 MR. SHAW: Second, Ms. Jackson.

14 All in favor?

15 BOARD PANEL: Aye.

16 (All in favor.)

17 MR. SHAW: Motion carries.

18 Let me get to this and then we'll get to that
19 and then roll into Trey as well.

20 The 2022 hearing dates and hearing panels, as
21 far as future meetings -- does everybody have a list
22 of the dates of the panels? Was that included in the
23 packet?

24 MS. CULPEPPER: It is. Right down there
25 on number 5.

1 MR. SHAW: The actual dates for the
2 upcoming year - the full dates.

3 MS. JOHNSON: What are you asking for?

4 MR. SHAW: Approving the upcoming board
5 meeting dates for the upcoming year.

6 Everybody received it by e-mail. If nobody
7 has any questions, just for expediency, go ahead and
8 have a motion we approve the dates for the 2022
9 meetings.

10 MR. CUMMINS: I make motion.

11 MR. SHAW: Have a motion from Jeremy.

12 Second?

13 MS. NORRIS-JOHNSON: I second it.

14 MR. SHAW: Second from Nancy Norris-
15 Johnson.

16 All in favor?

17 BOARD PANEL: Aye.

18 (All in favor.)

19 MR. SHAW: Future meetings: We have the
20 agreed settlement proposals February 8th, disciplinary
21 hearings February 9th and 10th, business meeting
22 February 11th. The upcoming panel will consist of
23 Ms. Sandra Culpepper, Ms. Shirley Jackson, Ms. Janie
24 Clanton, and Dr. Melissa King.

25 So wrapping back up around here, open forum.

1 Are there any other members of the public that would
2 like to speak? Is there anybody on Zoom?

3 MS. MILLER: Yes, sir, I am on Zoom -
4 Falisa Miller.

5 MR. SHAW: Okay.

6 MS. JOHNSON: Ms. Miller, would you like
7 to speak?

8 MS. MILLER: Oh, yes. I'm sorry. I
9 didn't know that now --

10 MR. SHAW: Oh, no, no.

11 MS. MILLER: I'm sorry. Yeah, I was just
12 addressing --

13 MS. JOHNSON: Are you a member of one of
14 the professional associations? I guess that's my
15 question.

16 MR. SHAW: No.

17 MS. MILLER: No, ma'am. I'm sorry. I am
18 strictly in on a board hearing.

19 MS. JOHNSON: Okay. So yours will be
20 later, if you will hold that.

21 MS. MILLER: Yes. I apologize. Yes,
22 ma'am, I'm sorry.

23 MS. JOHNSON: Thank you.

24 MR. SHAW: I'll tell you what; we'll go
25 ahead and let Trey do his legislative report, and if

1 there's anybody that has something, we'll come back
2 around to the end and make sure we don't miss anybody.

3 MR. BOBINGER: Good morning or afternoon.
4 Yeah, we're still morning.

5 I wanted to give you an update. First, I
6 wanted to say the meeting seems different with Shan
7 not here, doesn't it? I'm very sorry about her family
8 loss, and I know you're all aware of it.

9 But moving on, I wanted to start by saying
10 that we have a Capitol Day set. That is a day -- our
11 director, Ms. Johnson, gets excited about that Capitol
12 Day, but it is a great opportunity, and I encourage
13 all of you to attend because it's a great time to
14 interact with legislators. It gives us a presence at
15 the Capitol. You'll know people that you see; you'll
16 know them and a lot of friends and your people from
17 back home. So that's going to be January 18th. Our
18 setup is going to be 1:00 to 1:30, and our actual time
19 will be 1:30 to 3:30, so we'll kind of have the
20 afternoon block in the rotunda.

21 I was telling Phyllis that I'm happy that we
22 got this because they were blocking this. You know,
23 last year we couldn't do it; they wouldn't let anybody
24 in. And just recently they decided to do some limited
25 events, so I got on it quickly to secure us a spot.

1 But that's a good time, too, because that's a
2 busy time at the Capitol. There will be a lot of
3 people there. It's before your first major
4 legislative deadline, committee deadline, so I think
5 it's a good time to put our board members there. So
6 just have that on your calendar, Tuesday, January
7 18th, 1:00 P.M. setup, but 1:30 to 3:30. We'll have a
8 table there. We have had some refreshments and that
9 kind of thing. With COVID, we'll have to see if they
10 allow us to do that. If they do, we'll provide
11 refreshments.

12 The session starts Tuesday, January the 4th at
13 12:00 P.M., at noon. I hope I make it back from the
14 Sugar Bowl. But this is going to be a very -- all
15 sessions are busy. There are a lot of big issues on
16 the table this year, everything from medical
17 marijuana; elimination possibly of state income tax,
18 something the speaker feels very strongly about.
19 You've got congressional legislative redistricting,
20 you know, where they re-draw the lines.

21 So, you know, Jeremy, he's a representative;
22 I'm a representative. I've got a box that I've got a
23 lot of kinfolks or people in that all of a sudden,
24 Phyllis, they draw the map; he gets my folks in his
25 district. I'm not happy. So you can see when you

1 start moving things around.

2 I think the legislature -- it shouldn't be too
3 bad, I hope, but there's always some bumps in that
4 process.

5 Of course, I do anticipate - I'm about to get
6 into this. I do anticipate the
7 full-practice-authority issue to be really out front
8 this session, and I'll mention that more in a moment.

9 Medical marijuana, we know -- Phyllis and I
10 have communicated about that. I think there probably
11 will be a bill passed; I really do. They have a
12 draft, but I understand they've made some tweaks to
13 it.

14 The governor had concerns, and one was about
15 quantity. How much could someone be eligible for, you
16 know, as far as predicated on the certificate or
17 certification.

18 The other thing, there was some language in
19 one of the drafts that would appear to possibly limit
20 law enforcement doing their job in a broader sense,
21 not against medical marijuana, and rightfully so; I
22 think there was some concerns. And in fairness to the
23 legislature, I think they also shared that concern.

24 So, you know, there's a lot of folks --
25 there's a lot of interest in this bill, a lot of folks

1 hoping for a special session. Like I said, the
2 governor and legislature cannot agree, so January, I
3 do expect this bill to be brought up very quickly,
4 very early in the legislative session. That doesn't
5 mean there will not be some back and forth on
6 amendments and that kind of thing. So I just wanted
7 you to be aware of it.

8 But the other thing I wanted to mention was
9 really nice. The lieutenant governor's office as well
10 as Senator Hob Bryan, chairman of the Senate Public
11 Health, invited the Board of Nursing to come and speak
12 on the licensing process and related issues for
13 nurses.

14 Of course, our executive director, Ms. Phyllis
15 Johnson, represented this board, and I can genuinely
16 tell you that she did an excellent job representing
17 this board. I mean, this was the full public health
18 committee. The room was full of people. Senator
19 Bryan -- he's educating his committee on -- he wants
20 them to understand the educational requirements.
21 Y'all were just talking about the proprietary school.
22 He wants his members to understand that. He wants
23 them to understand the licensing process.

24 Now, quite candidly, I think this is part of
25 laying the foundation back to looking at this full-

1 practice-authority issue during the session. And I
2 think he's wanting to be methodical about it, as was
3 the lieutenant governor's office, and I think it's
4 great.

5 And Phyllis truly did a really good job, took
6 a number of questions, answered them. She even got
7 recognized, got the biggest round of applause.
8 Senator Blackwell from DeSoto County had recognized
9 her for her many years of military service. I thought
10 that was very nice at the hearing. So it went very
11 well.

12 Just for your information, Dr. Temple from IHL
13 spoke on education. Of course, Phyllis, we had Nicole
14 from the National Council of State Boards of Nursing;
15 they were also on the agenda. The Mississippi
16 Association of Nurse Practitioners had a rep that
17 spoke. And then lastly State Medical had a rep that
18 spoke. But I thought overall - and, Phyllis, I think
19 you would agree - I thought it was a very good
20 hearing. I thought there was a lot of good
21 information that came out. And I think most
22 importantly those senators learned some things they
23 didn't know before, and that's the whole point of it.

24 And like I said, I think it bodes well for the
25 future for some things the board would like to see

1 happen. So I wanted you to be aware of that.

2 On another thing, everybody likes to talk
3 about money, and I certainly understand that. There's
4 still a lot of discussion about supplemental pay.
5 Phyllis and I, again, discussed this among
6 legislators. You know, we have the ARPA fund monies
7 from the federal government. I mean, the state - it's
8 weird to say this - is flush with cash, at least for
9 the moment. And there still continues to be a lot of
10 talk about supplemental pay for nurses and possibly
11 other healthcare professionals. So we'll be closely
12 watching that and certainly supportive of any efforts
13 to do that. And I think we're going to see something
14 come of that, and I think it should, given COVID and
15 what our healthcare professionals, and particularly
16 our nurses, have gone through during this process -
17 almost hard to believe two years now. So I hope
18 something happens on that, and I think we'll see some
19 progress.

20 So I think there's some positive things for
21 the profession, for the board. Like I said, there's
22 going to be a lot on the table, and we'll just
23 continue to be engaged and keep you guys informed on
24 what's going on.

25 If anybody's got a question.

1 DR. STEWART: Thank you for the report.

2 MR. BOBINGER: Thank you.

3 DR. STEWART: And I'm asking this out of
4 my ignorance. I'm sure everybody on the board knows
5 more about this than I do. So when we have the
6 Capitol Day, when I've been involved with those kinds
7 of things in the past, like at the federal level,
8 there's typically -- because sometimes it's hard to
9 stay in your lane for why you're there. And so as
10 we'll be there as members of this board of directors
11 --

12 MR. BOBINGER: That's correct.

13 DR. STEWART: -- which is a regulatory
14 agent.

15 MR. BOBINGER: That's correct, right.

16 DR. STEWART: And so are there things that
17 we need to kind of focus on, in terms of messaging,
18 things that we need to maybe --

19 MR. BOBINGER: Yes.

20 DR. STEWART: -- not talk about, even
21 though we're certainly nurses, independent of this
22 board; and we're citizens, independent of this board?
23 But if we're as representatives of the agency, how
24 would you advise me to address things appropriately?

25 MR. BOBINGER: That's a very good

1 question. First and foremost, you're there as a
2 member of this board to represent the Mississippi
3 Board of Nursing. You all have knowledge -- I mean,
4 several of you chair subcommittees. You sit in on
5 disciplinary hearings. I think it's important, much
6 like Phyllis did, when she addressed the senate public
7 health committee - that's just one committee - to
8 educate legislators, or just say, "Look, here's kind
9 of what we do," nothing detailed. "We're there. You
10 know, we're responsible for the licensing, obviously,
11 but we have to do disciplinary hearings. We have
12 rule-making authority. We want to advocate in patient
13 safety"; right. "We want to make sure we protect the
14 public."

15 But what you will find in our legislature,
16 too, those folks will ask you questions. I mean, some
17 of them will come up, "Well, tell me about this," or
18 "I had somebody back home that got in a little
19 trouble" - that's what they say, "a little trouble";
20 we know what that means, Sandra - "but just had a
21 little problem."

22 "What happened?"

23 "Well, they just had a pocket full of
24 opioids." That was a joke.

25 But, seriously, our legislators a lot of times

1 will approach you. As far as issues, if they ask you,
2 you can give your personal opinion. There's nothing
3 to prohibit, you know, whatever the issue. You can
4 say -- and if you feel more comfortable, you can say,
5 "Personally, as a nursing professional, with my
6 educational background, this is what I think about
7 this issue." That's fine.

8 And before then, we may send out a few talking
9 points or something for the members prior to the
10 Capitol Day.

11 DR. STEWART: Okay, thank you.

12 MR. BOBINGER: You're welcome.

13 MR. SHAW: Any other questions for Trey?
14 Thank you, sir.

15 MR. BOBINGER: Thank you.

16 MR. SHAW: So one last call for any other
17 members of the public.

18 DR. STEWART: Is Dr. Temple on the phone?

19 MR. SHAW: I saw the name up there
20 earlier.

21 DR. STEWART: Dr. Temple?

22 DR. TEMPLE: Yes, ma'am.

23 DR. STEWART: Hey, this is Mary. I was
24 wondering if you could give us a quick update. We got
25 an update from Dr. Burks about the LPN programs, how

1 they're doing with licensure in COVID. And I was
2 curious to ask what are the RN preparation programs
3 doing in terms of NCLEX success? That's probably the
4 easiest in light of COVID. Are we seeing an increase,
5 decrease, that sort of thing?

6 DR. TEMPLE: Many of the schools of
7 nursing are reporting a decrease in that first-time
8 pass rate, but as they go back and repeat, they are
9 doing better. And, of course, now we're at the close
10 of the year for this 2021, so we'll be getting the
11 annual data put together for the calendar year.

12 DR. STEWART: Okay, thank you.

13 MR. SHAW: Moving on. Executive director
14 report.

15 MS. JOHNSON: Thank you, Mr. Chair.

16 I wasn't sure if Teresa Malone was on, if they
17 had a report. Normally, they have something. I know
18 I saw her name on the screen. If you would allow me
19 to ask if she has anything she would like to report,
20 if she's still on the Zoom or maybe not. Maybe she's
21 gotten off.

22 So moving on. First of all, happy holidays;
23 happy holidays; happy holidays. You have a little
24 happy in your chair from the Mississippi Board of
25 Nursing. Hopefully -- you may have something else

1 coming that hasn't gotten here yet, but we'll get that
2 to you, but that's on behalf of the staff here. We
3 appreciate everything that you all do. We appreciate
4 your leadership. So this is our happy to you, and
5 hopefully, you will enjoy that. Thank you for all
6 that you do.

7 Update-wise, you have a copy of my report in
8 your packet. I do want to remind you of the board
9 retreat, the board of directors' retreat, January 24th
10 and 25th at the Sheraton Refuge Hotel and Conference
11 Center in Flowood, Mississippi. So everything has
12 been established. Our speakers were able to also be
13 available those dates. And we will be sending out the
14 agenda to you again closer to that time.

15 If you have not made your accommodations,
16 please make sure you check with Vanessa Gray, the
17 executive assistant, to confirm everything that you
18 need, as far as being accommodated and where you're
19 going to be staying for that particular day.

20 Trey has already mentioned the Capitol Day,
21 and I'm glad he confirmed January 18th. We had talked
22 about that. Normally, we get down there and set up.
23 As he said, setup time is 1:00 o'clock, and then 1:30
24 usually things kick off, but we're normally down there
25 a little bit earlier than that, around 12:00-ish, to

1 make sure we get everything set up.

2 And once we set up, people will start coming
3 and talking to you. So we will try to put together
4 some talking points on some things that they may
5 inquire, such as full-practice authority. You know,
6 we support nurses practicing to the full extent of
7 their education and training. So those are talking
8 points that I can definitely give you some things to
9 say about that.

10 And Trey has also already mentioned, you know,
11 the senate hearing, which is one of the things that
12 you will see in your packet on our visibility. And I
13 do think that went very well. I do appreciate
14 Dr. Melissa Temple, who partnered and worked with me
15 prior to that meeting, because she wanted to make sure
16 that, you know, the educational information and the
17 regulatory information was accurate and pertinent to
18 what they were trying to find out. So she did an
19 outstanding job as well in her presentation at the
20 hearing. So we appreciate IHL partnering with us in
21 that effort because, as you all know, it's going to
22 take all of us to work together to get things
23 accomplished for the safety of the citizens of this
24 state.

25 And also, we want to thank National Council,

1 Nicole Livanos, who flew in for that as well, provided
2 excellent testimony. The professional associations
3 provided input, specifically MANP, who had
4 representatives there as well to speak. So I want to
5 extend a personal thank you to all those individuals
6 that participated in that -- and, of course, the Board
7 of Nursing staff who worked diligently to prepare for
8 that.

9 Brett did a great job helping us with that, as
10 well as Shan, but all of the licensure staff
11 participated in that. Dr. Tina Highfill and her staff
12 did an amazing job.

13 I will inform the board, that as a follow-up,
14 I have been in conversation with Senator Hob Bryan on
15 providing some additional follow-up in accuracy of the
16 numbers and some other information that he has
17 requested.

18 A letter was received in our office on last
19 Friday with some information that Senator Hob Bryan
20 wanted. So I am working on that. I did send him a
21 letter because we wanted to delve down into that
22 information a little bit more, and some of that
23 information that he has requested is so tedious that
24 we have to manually go in - the licensure division -
25 just to reevaluate the data.

1 So I did send him a letter, you know, outlined
2 that it would probably be Monday - that's my date, to
3 send him a letter with all the information that he has
4 requested. I just wanted you all to be aware of that.

5 Secondly, the MEC Capitol Day will be January
6 the 6, 2022, from 8:30 to 1:30 at the Mississippi
7 Trade Mart. We normally participate in that. If you
8 are interested in attending that event, please let us
9 know. There are 10 slots still available if you wish
10 to participate. So I need to know if you are
11 interested, if you will be participating, so we can
12 reserve one of those slots for you. And I need to
13 know as soon as possible, definitely by Monday, if you
14 need to check something, but definitely by Monday, I
15 need to know if you will be participating and
16 attending the Trade Mart event. It is a great event.
17 You get a chance to also mingle with the legislators
18 and visit the Capitol.

19 I think they have an hour set aside; visit the
20 agenda on their website. So it's a great opportunity,
21 again, to hobnob and network and talk about
22 legislative issues. So please let me know if you're
23 interested in attending that event.

24 The only other thing you see on the board
25 visibility -- now, we've been pretty busy attending

1 the MEC hobnob. We've also been working with the
2 Office of Physician Workforce, Dr. Mitchell and his
3 staff, in looking at data.

4 Shan and I have been talking about efforts to
5 increase the data portion of our job, and we're
6 looking at doing that and looking at some other --
7 maybe partnering with other entities as well.

8 They reached out to us, as a matter of fact.
9 And so we are talking to them about some things, and
10 we'll keep you abreast of what happens with that. But
11 we do feel like we need to be able to tell our story a
12 little bit better and more accurately. So we're
13 looking into some other ways to do that.

14 And I think that's all that I have. If you
15 have any questions about the board visibility, that's
16 before you, feel free to ask those questions, and I'll
17 answer those to the best of my ability. I do
18 appreciate Jan Collins, who is our board member,
19 who -- the Madison County Business League and
20 Foundation, which we are a part, and I thank them for
21 recognizing me as their visionary leader at their
22 awards ceremony this past month. So thank you.

23 MS. COLLINS: Thank you. We're very proud
24 of you.

25 MS. JOHNSON: And that's all, Mr. Chair.

1 MR. SHAW: Thank you, Dr. Johnson. And I
2 ask Brett if she would, check a message I sent.

3 Any questions for Dr. Johnson?

4 All right. Thank you for that, and thank you
5 for all you're doing. Like I said in the previous
6 one, if you have not had the opportunity to go and
7 look at her presentation to the senate committee, it
8 was excellent, very well-represented. It's on
9 YouTube, so it's for all to see. You can skip the
10 parts you don't like.

11 Good deal. So with that said -- so I take
12 that as a "yes" to put the amount.

13 From executive committee, we do have one thing
14 to bring out. There was a raise for Dr. Johnson. I
15 ask that we accept the executive committee's
16 recommendation for the increase in salary that was
17 discussed at a previous meeting.

18 MS. NANCY NORRIS-JOHNSON: I make a
19 motion.

20 MR. SHAW: I have a motion from Ms. Nancy
21 Norris-Johnson.

22 MR. ADAMS: Second.

23 MR. SHAW: Second, T.J.

24 All in favor?

25 BOARD PANEL: Aye.

1 (All in favor.)

2 MR. SHAW: Motion carries. That is all
3 from executive.

4 The board retreat, it's already been spoken
5 of, as far as the time. Make sure you get your
6 information in if you're going to be able to attend.

7 Compliance committee.

8 MR. ADAMS: Thank you, sir. From
9 compliance committee, we have five motions to bring
10 forward today. I would like to thank the staff,
11 Ms. Vera and her staff, today -- has done a wonderful
12 job of getting things together for us.

13 I move that the board adopt the compliance
14 committee's recommendation that the following
15 affidavits, formal reprimand be accepted for
16 ratification: License number R-850242.

17 I move that the board adopt the compliance
18 committee's recommendation to deny the request of
19 license number R-868902, NP, for early release from
20 the respondent's 36-month probationary period. The
21 board's compliance committee moves to modify the
22 October 18th, 2019, final order to remove the indirect
23 supervision and include notification of any employment
24 change required prior approval by the board.

25 I move that the board adopt the compliance

1 committee's recommendation to deny the request of
2 license number R-878929 to modify the respondent's
3 prohibited area of practice in the final order, dated
4 and signed June 16th, 2021. Respondent is requesting
5 to allow to work in an emergency room setting.

6 I move that the board adopt the compliance
7 committee's recommendation to approve the request of
8 license number R-869380 for a second extension on the
9 payment for the \$1,000 fine that was assessed in the
10 final order dated and signed July 21st, 2021. The
11 respondent is granted an additional 60-calendar-day
12 extension.

13 I move that the board adopt the compliance
14 committee's recommendation to approve the petition of
15 license number R-859306, NP, to be released early from
16 respondent's 54-month probation period to the final
17 order dated and signed March 20th, 2019, that
18 incorporated the final order dated and signed October
19 10th, 2017.

20 MR. SHAW: Any questions on those motions?

21 All in favor of accepting the motions from the
22 committee?

23 BOARD PANEL: Aye.

24 (All in favor.)

25 MR. SHAW: Any opposed?

1 (No response.)

2 MR. SHAW: Advanced practice.

3 DR. KING: Mr. President, we have nothing
4 to bring forward today.

5 MR. SHAW: Nothing from advanced practice.
6 Practice committee.

7 DR. STEWART: And we have nothing to bring
8 forward.

9 MR. SHAW: Administrative code.

10 MR. ADAMS: Administrative code plans to
11 work with Ms. Johnson on formulating a meeting
12 scheduled in the next couple of weeks to discuss
13 matters that are fairly urgent.

14 MR. SHAW: Finance committee.

15 DR. STEWART: Yes. And I'll give the
16 budget report as part of this. In your packets, you
17 have a copy of the financials. The finance committee
18 did meet this morning and reviewed this, so it's
19 coming as a motion for approval from the committee.

20 But just to give you some quick information.
21 Our revenue for October was a little over \$208,000.
22 The expenses for October were 1.038 million. A large
23 sum of that - and you'll see it on, I think, page 4 of
24 this report - is because the ONW grants were paid out
25 to the schools out of that money.

1 So cash on hand is 5.3 million and some
2 change.

3 We are in the LPN renewal year, and
4 Dr. Highfill helped us with this information to get
5 the most current we have.

6 Basically, in the state, we have around 14,000
7 LPNs. As of the last count, we have 7,695 who are
8 left to renew. But this is consistent with the way
9 that apparently this happens in years past. This is
10 not unusual, and so we do anticipate that the staff
11 will be inundated with applications for renewal in the
12 next few weeks.

13 There is some progress made on the proposal
14 for the increase of the 3-percent-employee raise for
15 the staff, and we're still waiting on final approval,
16 but that is moving forward.

17 And we handled the other issue. And the last
18 thing that's just part of this report is to let you
19 know that there has been a bond secured for the
20 treasurer at \$50,000. And that's the end of my
21 report.

22 MR. SHAW: Any question for finance?
23 Thank you.

24 I would like to bring up one point that we
25 were made aware of when we were talking about the

1 renewals that I didn't understand before. But it was
2 explained that if you wait until the last minute and
3 pay your money, the payment doesn't come directly to
4 the board. It goes to another agency, and then gets
5 circled back. So there may be a delay from the time
6 you apply and pay to when you are officially approved.
7 I bring that up for the end-of-year, last-day people.
8 Just realize it may be a few days into the new year
9 before you're actually officially granted that renewal
10 license, which could cause some hiccups to some
11 organizations.

12 So for those of you that have people that are
13 employed, just kind of encourage them to not wait
14 until the last minute.

15 With that said, ONW.

16 DR. STEWART: We have a motion to accept
17 the budget.

18 MR. SHAW: Sure. Have a motion from --

19 DR. STEWART: From the committee.

20 MR. SHAW: Okay. All in favor of
21 accepting the budget?

22 BOARD PANEL: Aye.

23 MR. SHAW: Any opposed?

24 (No verbal response.)

25 MR. SHAW: All right. ONW.

1 MS. CULPEPPER: Mr. President, we have
2 nothing to bring forward from ONW at this time, but we
3 do foresee a meeting coming up late February -- I'm
4 sorry. Let me take that back. Late January, early
5 February as a quarterly meeting.

6 MR. SHAW: Good deal. With that said, any
7 other business?

8 MS. JOHNSON: I just wanted to remind the
9 board, staff, and board of directors that we will be
10 closed for the holidays, December 23rd and 24th of
11 December. And that was through the proclamation that
12 was issued by the governor, and they gave us leeway to
13 do that.

14 So if you would, if you have LPNs working for
15 you at your facility, please, please go back and
16 encourage them. Don't wait until the last minute.
17 Because as the Chairman has said, when they pay their
18 money, that goes to a different agency, and sometimes
19 that agency -- it may be two days before they are able
20 to transact that back to our IT system, and you will
21 be delinquent or non-compliant in not having a license
22 if you wait until the last minute because it will show
23 up in 2022.

24 So I just encourage you all to make sure that
25 they are aware. The board will be closed on the 23rd

1 and the 24th, and then the next week is New Year's,
2 but, you know, we'll be here, but those holidays do
3 fall into play.

4 MS. CULPEPPER: May I ask Ms. Johnson
5 something?

6 MR. SHAW: Go ahead.

7 MS. CULPEPPER: And I just want to confirm
8 so that those LPNs out there understand this. I know
9 that from my Nursys, once they lapse, regardless of if
10 that money is in process or not, they will not be able
11 to practice.

12 MS. JOHNSON: Correct.

13 MS. CULPEPPER: So if you wait to December
14 31st, and you're not processed until the second week
15 of January, you cannot practice; correct?

16 MS. JOHNSON: You have a lapsed license
17 until the board approves it, and it's on your Gateway
18 that your license has been approved, irregardless of
19 if you paid your money in 2021.

20 MS. COLLINS: I have a question. Is there
21 a way to expedite that message via the website or text
22 or --

23 MS. JOHNSON: We've sent out on our social
24 media, and we've sent out blast e-mails to remind
25 them. It's automatically in the system to send them

1 those reminders, so they are aware.

2 MS. COLLINS: Well, that's good.

3 MS. JOHNSON: Thank you.

4 MS. COLLINS: Thank you.

5 MR. SHAW: Any other business? If not, at
6 this time, we'll stand in recess to allow the
7 attorneys to prepare for a full-board appeal.

8 (Whereupon, the above-entitled proceeding
9 recessed at 12:01 P.M.)

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CERTIFICATE OF COURT REPORTER

I, CYNTHIA HARRIS, Court Reporter and Notary Public, in and for the County of Scott, State of Mississippi, do hereby certify:

That the foregoing pages contain a full, true, and correct transcription of all the proceedings taken by me at the time and place heretofore stated;

That I am not kin or in anywise associated with any of the parties to said cause of action or their counsel, and that I am not financially interested in the action.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this the 3rd day of January, 2022.

CYNTHIA HARRIS, RPR, CCR 1828

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BUSINESS MEETING

THE MISSISSIPPI BOARD OF NURSING
BUSINESS MEETING

DECEMBER 10, 2021

PROCEEDINGS

taken on Friday, December 10, 2021,
commencing at approximately 11:05 A.M.
at the Mississippi Board of Nursing
713 South Pear Orchard Road
Plaza II, Suite 300
Ridgeland, Mississippi

REPORTED BY: CYNTHIA HARRIS, RPR, CCR, #1828
SOUTHERN STENO REPORTERS
3541 Highway 13 South
Morton, MS 39117
(601) 507-0849

BUSINESS MEETING

1 APPEARANCES

2

3 BOARD MEMBERS IN ATTENDANCE IN PERSON:

4 ALTON SHAW, MSN, FNP-C (PRESIDENT)

5 T.J. ADAMS, RN, BSN, MSHA (VICE PRESIDENT)

6 SANDRA CULPEPPER, LPN (SECRETARY)

7 MARY STEWART, PhD, RN (TREASURER)

8 SHIRLEY JACKSON, LPN

9 NANCY NORRIS-JOHNSON, LPN, II, CPT

10 JEREMY L. CUMMINS, LPN, LHNA

11 JANIE CLANTON, RN

12 MELISSA KING, DNP, FNP-C

13 JAN COLLINS, CONSUMER

14

15 BOARD MEMBERS IN ATTENDANCE VIA ZOOM:

16 LAURA MOORE, MSN, NP-C

17 LACEY T. GENTRY, MSN, RN

18

19 ALSO PRESENT:

20 EDWARD WIGGINS, JR., ESQUIRE

21 SPECIAL ASSISTANT ATTORNEY GENERAL

22

23

24

25

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1 PROCEEDINGS

2 * * * *

3 MR. SHAW: It is 11:05. We'll go ahead

4 and call the meeting to order.

5 Ms. Jackson, would you mind opening us up?

6 MS. JACKSON: I'll be graciously happy to.

7 If everyone will please bow your heads.

8 (Prayer.)

9 MR. SHAW: As stated previously, we do

10 have a quorum.

11 Do I have a motion we approve the agenda?

12 MS. JACKSON: I make a motion.

13 MR. SHAW: Make a motion from Ms. Jackson.

14 Second?

15 MR. CUMMINS: Second.

16 MR. SHAW: Jeremy. All in favor?

17 BOARD PANEL: Aye.

18 MR. SHAW: Motion carries.

19 We have first up, Dr. Dobbs. Is he on the

20 line?

21 Let him go ahead and speak because I

22 understand he has another engagement.

23 DR. DOBBS: Yeah, and I'll go relatively

24 quickly, and then let you guys have some time for

25 questions or comments.

1 Can y'all allow me to share my screen? If

2 y'all could allow me to share my screen or maybe make

3 me host or co-host.

4 DR. KING: We're working on it.

5 DR. DOBBS: Okay, great.

6 DR. KING: Sorry.

7 DR. DOBBS: Can y'all see it?

8 DR. KING: Not yet.

9 MR. SHAW: Give us one second. It's

10 shared on the laptop; he's trying to get it pulled up

11 on the big screen for us. All right. You're ready to

12 share again. Good deal; we can see it.

13 DR. DOBBS: So I'll go over kind of where

14 we are with the COVID pandemic real quickly.

15 You can see that, you know -- we, obviously,

16 all know that we had a pretty horrific Delta surge

17 that led to a lot of cases. I mean, we had a -- for a

18 while, we were losing 200 people a week to COVID.

19 We've had a steady decline, but we've seen in

20 recent weeks, a little bit of a rebound in the total

21 number of COVID cases. We've had a little bit of a

22 rebound in deaths.

23 We're not entirely surprised because we knew

24 that folks were starting to get together, sort of mask

25 use is dropping off. The holidays are always a stress

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1 with Halloween and then with Thanksgiving, but it
2 certainly could have been worse. We are seeing a
3 rebound, but it's not as bad as it potentially could
4 be.

5 But if we look at where we're going in the
6 future, we do have some early predictors. We have the
7 surveillance networks we use. One of them is for
8 COVID-like illness. One of them is for flu. And you
9 can see we've had an increase in our COVID-like
10 illness and our flu-like illness over the past week or
11 so. That is concerning that we're going to see
12 ongoing number of cases and hospitalizations. All
13 this information -- this information is on our
14 website.

15 We do want to continue to reiterate that,
16 although some people can get COVID if they've been
17 vaccinated, the risk of death and severe disease is
18 much improved. For different age groups, the risk is
19 a little bit different. If you're 40 to 49, there's a
20 12-fold risk reduction of being infected, 12-fold risk
21 reduction of being hospitalized, and about 100-percent
22 protection for the previous month. So we're seeing
23 that folks aren't dying, especially if they're
24 younger.

25 And even for 50 to 64, we see a 6-fold risk

1 reduction in death if you've been vaccinated. And if
2 you're 65 to 74, again, it's about an 85 percent
3 protection from death. And if you're 75 and older,
4 again, 6-fold reduction. So your capacity to not have
5 severe illness or die is much improved if folks are
6 vaccinated.

7 That's one of the reasons why we also want to
8 make sure people get boosters because a lot of these
9 folks who are older or even the small number, the vast
10 majority of them are un-boosted. So it's important to
11 remember --

12 Kind of like a flu shot -- we wouldn't take a
13 flu shot last year and consider it to cover us for
14 this year. A lot of people are about a year out from
15 their first COVID shots, and so it's time to get a
16 booster, even from that concept.

17 We also know that it's going to help us with
18 Delta and Omicron. I'll talk about that in a second.

19 I do want to touch real quickly on COVID
20 vaccine safety. We have a growing and phenomenal
21 overwhelming amount of data showing how phenomenally
22 safe, especially the mRNA -- mRNA vaccines are. Looking
23 at millions of cases, they're seeing no increased
24 rates of adverse events; although, rarely we do see
25 anaphylaxis. You can be allergic to anything, so

1 that's not too surprising. Again, this doesn't mean
2 that people die; it means they had a reaction, and
3 they were treated. You know, that's something that's
4 totally treatable in the context of medical care.

5 We also know that people who have COVID
6 vaccine are less likely to die for any cause by
7 significant margin than people who are not vaccinated.
8 And there's no higher risk of death from other causes
9 among vaccinated.

10 It's important to know that some of the things
11 that the fearmongers were saying about bad things from
12 COVID vaccine have not come to fruition. So please,
13 if you've been sitting on the fence, know that the
14 safety data is extremely strong, no increases of
15 miscarriage, but in contrast COVID does clearly
16 increase death among pregnant women and doubles the
17 rate of stillbirth.

18 So information is to keep going forward. We
19 want to protect everybody, including pregnant women.

20 We're encouraging everyone to make a holiday
21 safety plan because we're going to see a lot of cases.
22 We're almost certainly going to see a surge with
23 travel and people over the holidays. That doesn't
24 mean something bad has to happen.

25 Go ahead and make a plan about getting your

1 boosters; make a plan about where you can get tested.
2 Either people are visiting you here or if you're going
3 out of town in Mississippi or other parts of the
4 country, make a COVID safety plan. Find out where you
5 can get tested in case you need it. Maybe buy some
6 at-home kits that you can have with you in case you
7 need it. I have some. It certainly is nice to be
8 able to test yourself if you're wanting to without
9 having to, you know, go to a lot of the hassle.

10 But keep in mind, there's the flu out there,
11 too. So if you're sick, we still strongly encourage
12 people to go ahead and get medical attention. And
13 also know where to get monoclonal antibody treatment.
14 In Mississippi, we have a fantastic network of
15 monoclonal antibody treatment centers. Know where you
16 would go if you get COVID so that you can go, or if
17 you have a family member visiting from out of town,
18 know where they can get treatment in your community.

19 A little bit on the Omicron real quickly.
20 It's a new variant, initially worrisome because it had
21 numerous mutations, especially on the spike protein,
22 the part of the coronavirus that binds to our cells.
23 And that made us worry about a lot of things,
24 including the contagiousness and the immunity.

25 We're concerned that it does look like it's

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1 more contagious for a whole host of reasons - more
2 contagious than Delta, although not in the same
3 important order of magnitude as Delta was from Alpha.

4 We do have concerns about the ability of the
5 Omicron variant to get around vaccine-boost immunity.
6 We're worried about it getting around infection
7 immunity and monoclonal antibody treatments.

8 I can tell you what we know so far. It does
9 look like that there is retained efficacy of the
10 vaccines, but it's not as good. But if you get the
11 booster, especially with Pfizer - they have data - it
12 looks like you have pretty strong protection. So it's
13 really important right now if you hadn't had your
14 booster dose yet, go ahead and get your booster.

15 We do know that people can get Omicron even if
16 they've had Delta recently. They saw a lot of that in
17 South Africa. So having natural infection -- having
18 infection does not mean that you're protected against
19 Omicron, so it's still important to look at getting a
20 vaccine.

21 And then monoclonal antibodies - this is a
22 real concern - it looks like our most common
23 monoclonal antibodies that we're using, REGEN-COV,
24 Bamlanivimab and Estesevimab, may not work as well
25 against Omicron. So that makes it extra important to

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1 it's less severe, but please don't hang your hat on
2 that.

3 If you want to read more about it at this
4 website here, it's all the updates the CDC has on the
5 Omicron variant. I encourage you to read more and
6 more about that.

7 Just a takeaway message. COVID is not over.
8 Please continue, you know, reasonable safety measures.
9 It's still recommended to wear a mask indoors in
10 public.

11 You know, think about doing things outdoors if
12 you can, if the weather permits. And also, you know,
13 maybe limit some of your larger gatherings, especially
14 if you're immunocompromised or have weakened immune
15 systems.

16 Get your booster. If you haven't had a
17 booster yet, please get your booster and make a
18 holiday safety plan, as we discussed earlier.

19 And that is all I had to share formally.

20 Does the board have any questions that they
21 would like to share?

22 And do I need to make someone else the
23 presenter, or do y'all have that still?

24 MR. SHAW: Any questions?
25 (No verbal response.)

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1 get your boosters because we don't have that backstop
2 of our most commonly-used monoclonal antibodies.

3 Another monoclonal that is not widely
4 available called Sotrovimab looks like it's probably
5 still effective - we don't know for sure - but that
6 probably is one for Omicron.

7 Right now in Mississippi, we only have one
8 confirmed case. All the cases that we have are Delta,
9 and these monoclonals work great. So if you get
10 COVID, go get monoclonals, and you can get the normal
11 stuff through Regeneron and the Bama.

12 Other things we know: It seems like it's more
13 contagious. Again, vaccines protect, but booster is
14 needed for maximal effect. And it might be a lesser
15 illness; we don't know for sure. A lot of the cases
16 we've seen have been relatively mild symptoms or
17 asymptomatic. It's hard to know what that means, in
18 general, because most of the folks with mild or
19 asymptomatic were vaccinated; right. So does that
20 mean they're defective? What's going to happen when
21 unvaccinated people get it? Are they going to do
22 well, or are they going to be really sick?

23 We also don't know if it's because we're doing
24 such extensive surveillance on travelers that we're
25 getting a lot of mild cases. So we're hopeful that

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1 MR. SHAW: There being no questions at
2 this time, Dr. Dobbs, we appreciate the time you took
3 out to give us the information.

4 DR. DOBBS: Y'all have a great weekend.
5 Thank you.

6 BOARD PANEL: Thank you.

7 MR. SHAW: All right. Moving on down the
8 list. ONW?

9 (No verbal response.)

10 MR. SHAW: Dr. Burks?

11 DR. BURKS: Good morning, everyone. I do
12 not have any items to bring forward for
13 recommendation, but I do have just a status report.

14 The Mississippi practical nursing programs,
15 they completed their annual report, and in your
16 packet, you'll see copies of that pertinent
17 information.

18 There's a list of the approved practical
19 nursing programs in the state with their last -- the
20 date of their last accreditation and also their next
21 accreditation visit.

22 Also, you will see there is a graph that shows
23 the trend of the PN graduates by the academic year
24 from 2015 to 2020. Those are the 15 schools in the
25 state, and you can see the number of graduates that

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1 they have presented since 2015.

2 The next graph just shows the PN-NCLEX rate,
3 again, from 2015 to 2020. And you'll see the trends
4 in that.

5 Most of the schools have remained somewhat the
6 same or consistent with their NCLEX pass rates.

7 And last is the completion data by the year.
8 And for those who have individuals to enter, they do
9 have different parameters in terms of the completion.
10 So with the students that they admit, you see those
11 numbers and percentages, and, again, this covers from
12 2015 to 2020. So it gives you a bird's-eye view of
13 what the schools have been doing throughout the state
14 for the last five years.

15 Also, Concord Career College, they're
16 currently in stage 2 of qualifying for initial
17 accreditation. They have submitted their self-study
18 to establish a new program, and we have a site visit
19 scheduled for February 2022.

20 The site-visit team has been selected. It
21 consists of Dr. Chequitia Dixon; she's the dean of
22 health sciences at Coahoma. Dr. Christi Blair; she is
23 the division chair at Holmes. And Lisa Pearson; she
24 is the program director at Itawamba.

25 And the purpose of this visit is for us to

1 clarify, amplify, and verify the information that they
2 have submitted in their self-study. So, again, this
3 would be a face-to-face visit, and we will look at
4 their program - the program that they're proposing -
5 from top to bottom. This will also include speaking
6 to their administrators and also having a visit to
7 those proposed clinical sites as well.

8 The last thing I have is information on an
9 illegal practical nursing program that is attempting
10 to practice in the State of Mississippi. This program
11 -- they have been advertising online as a
12 24-week-online practical nursing program. There are
13 no online practical nursing programs in the state of
14 Mississippi; I just want everybody to understand that.

15 Their advertisement states that they're going
16 to start January 2022. They are considered illegal
17 because they have not applied for a certificate of
18 registration or an agent's permit as required by MCCC,
19 Office of Proprietary Schools. This institution is
20 not recognized or authorized by the United States
21 Department of Education Agency Accreditation, and they
22 have not collaborated with the Mississippi Board of
23 Nursing to review or discuss the application process.

24 We have been working with the MCCC, Office of
25 Proprietary Schools, and sending out letters and

1 notifications to these individuals to let them know
2 that they are not an approved school, and that if they
3 try to go forward, they will be practicing illegally
4 and legal actions will be taken.

5 That is the end of my status report.

6 MR. SHAW: Thank you. Very interesting
7 end to the status report. Anybody have any questions
8 for Dr. Burks?

9 MS. CULPEPPER: I do. Are we able --

10 MS. COLLINS: Have y'all got some kind of
11 disclaimer or something on the website, "red alert,"
12 like this is happening? Can you do that?

13 MS. JOHNSON: Well, the MCCC, because
14 they're a proprietary school, is the first step that
15 they have to go to. And I do know that they are in
16 talks with the AG's office, if I'm not mistaken,
17 because that has to be reported to the AG's office.
18 So we're at that stage right now.

19 We've had a couple of - and Dr. Burks can
20 probably elaborate on that more - LPNs that knew that
21 this didn't look right and contacted the Board of
22 Nursing because I think some had even paid some money
23 to go to this program. But when they got to looking
24 at this, said this doesn't look right.

25 So, Dr. Burks, do you want to elaborate on

1 that?

2 DR. BURKS: Yes. They've actually paid
3 money. They were advertising the school as \$2,500.
4 So individuals have paid their money. They have now
5 reached out to the AG's office because this
6 institution is refusing to return their money to them.
7 They collected their money through PayPal, and
8 when PayPal was notified, the individuals had cleared
9 out the account, so that account no longer existed.

10 This actually was brought to our attention
11 about three weeks ago. Last weekend what happened
12 was, they changed the name of their institution; they
13 placed the information back on social media with a
14 different name; and they left that information up.

15 So more people was reaching out saying, "Is
16 this legitimate?" because one of their statements that
17 they had on the information is that they had spoken to
18 the board.

19 DR. KING: What's the name of the
20 institution?

21 DR. BURKS: Allied Certified Technician.

22 MS. CULPEPPER: And I guess my question,
23 Dr. Burks, do we have any data to know how many people
24 have actually paid for this course?

25 DR. BURKS: I do not know how many have

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1 actually paid, but those individuals that did report,
2 they sent their information to the board of where they
3 have proof that they paid and the contact.

4 And the contact -- reached out to that number
5 that was on their site. That number is no longer in
6 service. They had an address in Mississippi. Now
7 it's showing an address in Alabama, and they are not
8 approved in Alabama either. And they also had a
9 Louisiana number. So they are hitting all the states.
10 We're just trying to collect all of this information.

11 MS. CULPEPPER: Are the other states
12 joining in with us to --

13 DR. BURKS: They are aware because once
14 they -- I see that they have an address or a number to
15 another state, I reach out to that state, and they say
16 they don't have anything on them.

17 MS. CULPEPPER: And are they able to
18 locate exactly who these persons are that have done
19 this?

20 DR. BURKS: The original individual, we
21 have that person's name, but since then, we have no
22 names for the updated people.

23 MS. JOHNSON: They change as soon as they
24 know that somebody is on their tail. They wipe off
25 the Facebook. It's a major concern. But right now

1 they've been doing.

2 MR. SHAW: Any other questions for
3 Dr. Burks? Thank you.

4 And I'll just let the board know, we didn't
5 completely skip ONW. Sandra's going to give a report
6 towards the end.

7 Board business: I have a motion we accept the
8 business meeting minutes from October 8th, 2021.

9 MR. ADAMS: I make a motion.

10 MR. SHAW: Motion, T.J.

11 Second?

12 MR. CUMMINS: Second.

13 MR. SHAW: Jeremy.

14 All in favor?

15 BOARD PANEL: Aye.

16 (All in favor.)

17 MR. SHAW: Motion carries.

18 I have a motion we accept the agreed
19 settlement proposal minutes from October 2021.

20 MS. NANCY NORRIS-JOHNSON: I make a
21 motion.

22 MR. SHAW: I have a motion, Ms. Nancy

23 Norris.

24 Second?

25 MR. CUMMINS: Second.

1 it's really for the AG and MCCB because we haven't
2 approved them, but there's a lot of legal stuff that
3 needs to be -- it's kind of a fraudulent-type program.

4 MS. CULPEPPER: Is there some sort of a
5 media push -- I'm just curious for my own knowledge.
6 Is there some sort of media push we can put out there
7 for people to really check before they sign up into
8 these online courses that we know are not...

9 MS. JOHNSON: We talked about it. We
10 haven't confirmed with Brett what we need to put on
11 our website just to alert them. We just usually let
12 them know prior to enrolling in any school, please
13 contact the Board of Nursing, you know. But we've
14 talked about it. We haven't confirmed what we need to
15 put out there yet. We're just working with MCCB right
16 now with this because it keeps popping up every week
17 --

18 DR. BURKS: Every weekend.

19 MS. JOHNSON: -- under a different name.

20 MS. CULPEPPER: Well, kudos to you,
21 Dr. Burks, for catching this. Thank you.

22 MS. JOHNSON: We're working on it.

23 DR. BURKS: We're just instructing
24 everybody, encouraging everyone if they hear or see
25 something, please to notify us, and that's what

1 MR. SHAW: Jeremy.

2 All in favor?

3 BOARD PANEL: Aye.

4 (All in favor.)

5 MR. SHAW: Motion carries.

6 Do I have a motion we waive the reading of the
7 names of motions?

8 MS. NANCY NORRIS-JOHNSON: I make a
9 motion.

10 MS. SHAW: Have a motion from Ms. Nancy
11 Norris-Johnson.

12 MS. JACKSON: Second.

13 MR. SHAW: Second, Ms. Jackson.

14 All in favor?

15 BOARD PANEL: Aye.

16 (All in favor.)

17 MR. SHAW: Motion carries.

18 Let me get to this and then we'll get to that
19 and then roll into Trey as well.

20 The 2022 hearing dates and hearing panels, as
21 far as future meetings -- does everybody have a list
22 of the dates of the panels? Was that included in the
23 packet?

24 MS. CULPEPPER: It is. Right down there
25 on number 5.

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1 MR. SHAW: The actual dates for the
 2 upcoming year - the full dates.
 3 MS. JOHNSON: What are you asking for?
 4 MR. SHAW: Approving the upcoming board
 5 meeting dates for the upcoming year.
 6 Everybody received it by e-mail. If nobody
 7 has any questions, just for expediency, go ahead and
 8 have a motion we approve the dates for the 2022
 9 meetings.
 10 MR. CUMMINS: I make motion.
 11 MR. SHAW: Have a motion from Jeremy.
 12 Second?
 13 MS. NORRIS-JOHNSON: I second it.
 14 MR. SHAW: Second from Nancy Norris-
 15 Johnson.
 16 All in favor?
 17 BOARD PANEL: Aye.
 18 (All in favor.)
 19 MR. SHAW: Future meetings: We have the
 20 agreed settlement proposals February 8th, disciplinary
 21 hearings February 9th and 10th, business meeting
 22 February 11th. The upcoming panel will consist of
 23 Ms. Sandra Culpepper, Ms. Shirley Jackson, Ms. Janie
 24 Clanton, and Dr. Melissa King.
 25 So wrapping back up around here, open forum.

1 Are there any other members of the public that would
 2 like to speak? Is there anybody on Zoom?
 3 MS. MILLER: Yes, sir, I am on Zoom -
 4 Falisa Miller.
 5 MR. SHAW: Okay.
 6 MS. JOHNSON: Ms. Miller, would you like
 7 to speak?
 8 MS. MILLER: Oh, yes. I'm sorry. I
 9 didn't know that now --
 10 MR. SHAW: Oh, no, no.
 11 MS. MILLER: I'm sorry. Yeah, I was just
 12 addressing --
 13 MS. JOHNSON: Are you a member of one of
 14 the professional associations? I guess that's my
 15 question.
 16 MR. SHAW: No.
 17 MS. MILLER: No, ma'am. I'm sorry. I am
 18 strictly in on a board hearing.
 19 MS. JOHNSON: Okay. So yours will be
 20 later, if you will hold that.
 21 MS. MILLER: Yes. I apologize. Yes,
 22 ma'am, I'm sorry.
 23 MS. JOHNSON: Thank you.
 24 MR. SHAW: I'll tell you what; we'll go
 25 ahead and let Trey do his legislative report, and if

1 there's anybody that has something, we'll come back
 2 around to the end and make sure we don't miss anybody.
 3 MR. BOBINGER: Good morning or afternoon.
 4 Yeah, we're still morning.
 5 I wanted to give you an update. First, I
 6 wanted to say the meeting seems different with Shan
 7 not here, doesn't it? I'm very sorry about her family
 8 loss, and I know you're all aware of it.
 9 But moving on, I wanted to start by saying
 10 that we have a Capitol Day set. That is a day -- our
 11 director, Ms. Johnson, gets excited about that Capitol
 12 Day, but it is a great opportunity, and I encourage
 13 all of you to attend because it's a great time to
 14 interact with legislators. It gives us a presence at
 15 the Capitol. You'll know people that you see; you'll
 16 know them and a lot of friends and your people from
 17 back home. So that's going to be January 18th. Our
 18 setup is going to be 1:00 to 1:30, and our actual time
 19 will be 1:30 to 3:30, so we'll kind of have the
 20 afternoon block in the rotunda.
 21 I was telling Phyllis that I'm happy that we
 22 got this because they were blocking this. You know,
 23 last year we couldn't do it; they wouldn't let anybody
 24 in. And just recently they decided to do some limited
 25 events, so I got on it quickly to secure us a spot.

1 But that's a good time, too, because that's a
 2 busy time at the Capitol. There will be a lot of
 3 people there. It's before your first major
 4 legislative deadline, committee deadline, so I think
 5 it's a good time to put our board members there. So
 6 just have that on your calendar, Tuesday, January
 7 18th, 1:00 P.M. setup, but 1:30 to 3:30. We'll have a
 8 table there. We have had some refreshments and that
 9 kind of thing. With COVID, we'll have to see if they
 10 allow us to do that. If they do, we'll provide
 11 refreshments.
 12 The session starts Tuesday, January the 4th at
 13 12:00 P.M., at noon. I hope I make it back from the
 14 Sugar Bowl. But this is going to be a very -- all
 15 sessions are busy. There are a lot of big issues on
 16 the table this year, everything from medical
 17 marijuana; elimination possibly of state income tax,
 18 something the speaker feels very strongly about.
 19 You've got congressional legislative redistricting,
 20 you know, where they re-draw the lines.
 21 So, you know, Jeremy, he's a representative;
 22 I'm a representative. I've got a box that I've got a
 23 lot of kinfolks or people in that all of a sudden,
 24 Phyllis, they draw the map; he gets my folks in his
 25 district. I'm not happy. So you can see when you

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1 start moving things around.

2 I think the legislature -- it shouldn't be too

3 bad, I hope, but there's always some bumps in that

4 process.

5 Of course, I do anticipate - I'm about to get

6 into this. I do anticipate the

7 full-practice-authority issue to be really out front

8 this session, and I'll mention that more in a moment.

9 Medical marijuana, we know -- Phyllis and I

10 have communicated about that. I think there probably

11 will be a bill passed; I really do. They have a

12 draft, but I understand they've made some tweaks to

13 it.

14 The governor had concerns, and one was about

15 quantity. How much could someone be eligible for, you

16 know, as far as predicated on the certificate or

17 certification.

18 The other thing, there was some language in

19 one of the drafts that would appear to possibly limit

20 law enforcement doing their job in a broader sense,

21 not against medical marijuana, and rightfully so; I

22 think there was some concerns. And in fairness to the

23 legislature, I think they also shared that concern.

24 So, you know, there's a lot of folks --

25 there's a lot of interest in this bill, a lot of folks

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1 hoping for a special session. Like I said, the

2 governor and legislature cannot agree, so January, I

3 do expect this bill to be brought up very quickly,

4 very early in the legislative session. That doesn't

5 mean there will not be some back and forth on

6 amendments and that kind of thing. So I just wanted

7 you to be aware of it.

8 But the other thing I wanted to mention was

9 really nice. The lieutenant governor's office as well

10 as Senator Hob Bryan, chairman of the Senate Public

11 Health, invited the Board of Nursing to come and speak

12 on the licensing process and related issues for

13 nurses.

14 Of course, our executive director, Ms. Phyllis

15 Johnson, represented this board, and I can genuinely

16 tell you that she did an excellent job representing

17 this board. I mean, this was the full public health

18 committee. The room was full of people. Senator

19 Bryan -- he's educating his committee on -- he wants

20 them to understand the educational requirements.

21 Y'all were just talking about the proprietary school.

22 He wants his members to understand that. He wants

23 them to understand the licensing process.

24 Now, quite candidly, I think this is part of

25 laying the foundation back to looking at this full-

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1 practice-authority issue during the session. And I

2 think he's wanting to be methodical about it, as was

3 the lieutenant governor's office, and I think it's

4 great.

5 And Phyllis truly did a really good job, took

6 a number of questions, answered them. She even got

7 recognized, got the biggest round of applause.

8 Senator Blackwell from DeSoto County had recognized

9 her for her many years of military service. I thought

10 that was very nice at the hearing. So it went very

11 well.

12 Just for your information, Dr. Temple from IHL

13 spoke on education. Of course, Phyllis, we had Nicole

14 from the National Council of State Boards of Nursing;

15 they were also on the agenda. The Mississippi

16 Association of Nurse Practitioners had a rep that

17 spoke. And then lastly State Medical had a rep that

18 spoke. But I thought overall - and, Phyllis, I think

19 you would agree - I thought it was a very good

20 hearing. I thought there was a lot of good

21 information that came out. And I think most

22 importantly those senators learned some things they

23 didn't know before, and that's the whole point of it.

24 And like I said, I think it bodes well for the

25 future for some things the board would like to see

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1 happen. So I wanted you to be aware of that.

2 On another thing, everybody likes to talk

3 about money, and I certainly understand that. There's

4 still a lot of discussion about supplemental pay.

5 Phyllis and I, again, discussed this among

6 legislators. You know, we have the ARPA fund monies

7 from the federal government. I mean, the state - it's

8 weird to say this - is flush with cash, at least for

9 the moment. And there still continues to be a lot of

10 talk about supplemental pay for nurses and possibly

11 other healthcare professionals. So we'll be closely

12 watching that and certainly supportive of any efforts

13 to do that. And I think we're going to see something

14 come of that, and I think it should, given COVID and

15 what our healthcare professionals, and particularly

16 our nurses, have gone through during this process -

17 almost hard to believe two years now. So I hope

18 something happens on that, and I think we'll see some

19 progress.

20 So I think there's some positive things for

21 the profession, for the board. Like I said, there's

22 going to be a lot on the table, and we'll just

23 continue to be engaged and keep you guys informed on

24 what's going on.

25 If anybody's got a question.

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1 DR. STEWART: Thank you for the report.
 2 MR. BOBINGER: Thank you.
 3 DR. STEWART: And I'm asking this out of
 4 my ignorance. I'm sure everybody on the board knows
 5 more about this than I do. So when we have the
 6 Capitol Day, when I've been involved with those kinds
 7 of things in the past, like at the federal level,
 8 there's typically -- because sometimes it's hard to
 9 stay in your lane for why you're there. And so as
 10 we'll be there as members of this board of directors
 11 --
 12 MR. BOBINGER: That's correct.
 13 DR. STEWART: -- which is a regulatory
 14 agent.
 15 MR. BOBINGER: That's correct, right.
 16 DR. STEWART: And so are there things that
 17 we need to kind of focus on, in terms of messaging,
 18 things that we need to maybe --
 19 MR. BOBINGER: Yes.
 20 DR. STEWART: -- not talk about, even
 21 though we're certainly nurses, independent of this
 22 board; and we're citizens, independent of this board?
 23 But if we're as representatives of the agency, how
 24 would you advise me to address things appropriately?
 25 MR. BOBINGER: That's a very good

1 question. First and foremost, you're there as a
 2 member of this board to represent the Mississippi
 3 Board of Nursing. You all have knowledge -- I mean,
 4 several of you chair subcommittees. You sit in on
 5 disciplinary hearings. I think it's important, much
 6 like Phyllis did, when she addressed the senate public
 7 health committee - that's just one committee - to
 8 educate legislators, or just say, "Look, here's kind
 9 of what we do," nothing detailed. "We're there. You
 10 know, we're responsible for the licensing, obviously,
 11 but we have to do disciplinary hearings. We have
 12 rule-making authority. We want to advocate in patient
 13 safety"; right. "We want to make sure we protect the
 14 public."
 15 But what you will find in our legislature,
 16 too, those folks will ask you questions. I mean, some
 17 of them will come up, "Well, tell me about this," or
 18 "I had somebody back home that got in a little
 19 trouble" - that's what they say, "a little trouble";
 20 we know what that means, Sandra - "but just had a
 21 little problem."
 22 "What happened?"
 23 "Well, they just had a pocket full of
 24 opioids." That was a joke.
 25 But, seriously, our legislators a lot of times

1 will approach you. As far as issues, if they ask you,
 2 you can give your personal opinion. There's nothing
 3 to prohibit, you know, whatever the issue. You can
 4 say -- and if you feel more comfortable, you can say,
 5 "Personally, as a nursing professional, with my
 6 educational background, this is what I think about
 7 this issue." That's fine.
 8 And before then, we may send out a few talking
 9 points or something for the members prior to the
 10 Capitol Day.
 11 DR. STEWART: Okay, thank you.
 12 MR. BOBINGER: You're welcome.
 13 MR. SHAW: Any other questions for Trey?
 14 Thank you, sir.
 15 MR. BOBINGER: Thank you.
 16 MR. SHAW: So one last call for any other
 17 members of the public.
 18 DR. STEWART: Is Dr. Temple on the phone?
 19 MR. SHAW: I saw the name up there
 20 earlier.
 21 DR. STEWART: Dr. Temple?
 22 DR. TEMPLE: Yes, ma'am.
 23 DR. STEWART: Hey, this is Mary. I was
 24 wondering if you could give us a quick update. We got
 25 an update from Dr. Burks about the LPN programs, how

1 they're doing with licensure in COVID. And I was
 2 curious to ask what are the RN preparation programs
 3 doing in terms of NCLEX success? That's probably the
 4 easiest in light of COVID. Are we seeing an increase,
 5 decrease, that sort of thing?
 6 DR. TEMPLE: Many of the schools of
 7 nursing are reporting a decrease in that first-time
 8 pass rate, but as they go back and repeat, they are
 9 doing better. And, of course, now we're at the close
 10 of the year for this 2021, so we'll be getting the
 11 annual data put together for the calendar year.
 12 DR. STEWART: Okay, thank you.
 13 MR. SHAW: Moving on. Executive director
 14 report.
 15 MS. JOHNSON: Thank you, Mr. Chair.
 16 I wasn't sure if Teresa Malone was on, if they
 17 had a report. Normally, they have something. I know
 18 I saw her name on the screen. If you would allow me
 19 to ask if she has anything she would like to report,
 20 if she's still on the Zoom or maybe not. Maybe she's
 21 gotten off.
 22 So moving on. First of all, happy holidays;
 23 happy holidays; happy holidays. You have a little
 24 happy in your chair from the Mississippi Board of
 25 Nursing. Hopefully -- you may have something else

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1 coming that hasn't gotten here yet, but we'll get that
2 to you, but that's on behalf of the staff here. We
3 appreciate everything that you all do. We appreciate
4 your leadership. So this is our happy to you, and
5 hopefully, you will enjoy that. Thank you for all
6 that you do.

7 Update-wise, you have a copy of my report in
8 your packet. I do want to remind you of the board
9 retreat, the board of directors' retreat, January 24th
10 and 25th at the Sheraton Refuge Hotel and Conference
11 Center in Flowood, Mississippi. So everything has
12 been established. Our speakers were able to also be
13 available those dates. And we will be sending out the
14 agenda to you again closer to that time.

15 If you have not made your accommodations,
16 please make sure you check with Vanessa Gray, the
17 executive assistant, to confirm everything that you
18 need, as far as being accommodated and where you're
19 going to be staying for that particular day.

20 Trey has already mentioned the Capitol Day,
21 and I'm glad he confirmed January 18th. We had talked
22 about that. Normally, we get down there and set up.
23 As he said, setup time is 1:00 o'clock, and then 1:30
24 usually things kick off, but we're normally down there
25 a little bit earlier than that, around 12:00-ish, to

1 make sure we get everything set up.

2 And once we set up, people will start coming
3 and talking to you. So we will try to put together
4 some talking points on some things that they may
5 inquire, such as full-practice authority. You know,
6 we support nurses practicing to the full extent of
7 their education and training. So those are talking
8 points that I can definitely give you some things to
9 say about that.

10 And Trey has also already mentioned, you know,
11 the senate hearing, which is one of the things that
12 you will see in your packet on our visibility. And I
13 do think that went very well. I do appreciate
14 Dr. Melissa Temple, who partnered and worked with me
15 prior to that meeting, because she wanted to make sure
16 that, you know, the educational information and the
17 regulatory information was accurate and pertinent to
18 what they were trying to find out. So she did an
19 outstanding job as well in her presentation at the
20 hearing. So we appreciate IHL partnering with us in
21 that effort because, as you all know, it's going to
22 take all of us to work together to get things
23 accomplished for the safety of the citizens of this
24 state.

25 And also, we want to thank National Council,

1 Nicole Livanos, who flew in for that as well, provided
2 excellent testimony. The professional associations
3 provided input, specifically MANP, who had
4 representatives there as well to speak. So I want to
5 extend a personal thank you to all those individuals
6 that participated in that -- and, of course, the Board
7 of Nursing staff who worked diligently to prepare for
8 that.

9 Brett did a great job helping us with that, as
10 well as Shan, but all of the licensure staff
11 participated in that. Dr. Tina Highfill and her staff
12 did an amazing job.

13 I will inform the board, that as a follow-up,
14 I have been in conversation with Senator Hob Bryan on
15 providing some additional follow-up in accuracy of the
16 numbers and some other information that he has
17 requested.

18 A letter was received in our office on last
19 Friday with some information that Senator Hob Bryan
20 wanted. So I am working on that. I did send him a
21 letter because we wanted to delve down into that
22 information a little bit more, and some of that
23 information that he has requested is so tedious that
24 we have to manually go in - the licensure division -
25 just to reevaluate the data.

1 So I did send him a letter, you know, outlined
2 that it would probably be Monday - that's my date, to
3 send him a letter with all the information that he has
4 requested. I just wanted you all to be aware of that.

5 Secondly, the MEC Capitol Day will be January
6 the 6, 2022, from 8:30 to 1:30 at the Mississippi
7 Trade Mart. We normally participate in that. If you
8 are interested in attending that event, please let us
9 know. There are 10 slots still available if you wish
10 to participate. So I need to know if you are
11 interested, if you will be participating, so we can
12 reserve one of those slots for you. And I need to
13 know as soon as possible, definitely by Monday, if you
14 need to check something, but definitely by Monday, I
15 need to know if you will be participating and
16 attending the Trade Mart event. It is a great event.
17 You get a chance to also mingle with the legislators
18 and visit the Capitol.

19 I think they have an hour set aside; visit the
20 agenda on their website. So it's a great opportunity,
21 again, to hobnob and network and talk about
22 legislative issues. So please let me know if you're
23 interested in attending that event.

24 The only other thing you see on the board
25 visibility -- now, we've been pretty busy attending

BUSINESS MEETING

1 the MEC hobnob. We've also been working with the
 2 Office of Physician Workforce, Dr. Mitchell and his
 3 staff, in looking at data.
 4 Shan and I have been talking about efforts to
 5 increase the data portion of our job, and we're
 6 looking at doing that and looking at some other --
 7 maybe partnering with other entities as well.
 8 They reached out to us, as a matter of fact.
 9 And so we are talking to them about some things, and
 10 we'll keep you abreast of what happens with that. But
 11 we do feel like we need to be able to tell our story a
 12 little bit better and more accurately. So we're
 13 looking into some other ways to do that.
 14 And I think that's all that I have. If you
 15 have any questions about the board visibility, that's
 16 before you, feel free to ask those questions, and I'll
 17 answer those to the best of my ability. I do
 18 appreciate Jan Collins, who is our board member,
 19 who -- the Madison County Business League and
 20 Foundation, which we are a part, and I thank them for
 21 recognizing me as their visionary leader at their
 22 awards ceremony this past month. So thank you.
 23 MS. COLLINS: Thank you. We're very proud
 24 of you.
 25 MS. JOHNSON: And that's all, Mr. Chair.

1 MR. SHAW: Thank you, Dr. Johnson. And I
 2 ask Brett if she would, check a message I sent.
 3 Any questions for Dr. Johnson?
 4 All right. Thank you for that, and thank you
 5 for all you're doing. Like I said in the previous
 6 one, if you have not had the opportunity to go and
 7 look at her presentation to the senate committee, it
 8 was excellent, very well-represented. It's on
 9 YouTube, so it's for all to see. You can skip the
 10 parts you don't like.
 11 Good deal. So with that said -- so I take
 12 that as a "yes" to put the amount.
 13 From executive committee, we do have one thing
 14 to bring out. There was a raise for Dr. Johnson. I
 15 ask that we accept the executive committee's
 16 recommendation for the increase in salary that was
 17 discussed at a previous meeting.
 18 MS. NANCY NORRIS-JOHNSON: I make a
 19 motion.
 20 MR. SHAW: I have a motion from Ms. Nancy
 21 Norris-Johnson.
 22 MR. ADAMS: Second.
 23 MR. SHAW: Second, T.J.
 24 All in favor?
 25 BOARD PANEL: Aye.

1 (All in favor.)
 2 MR. SHAW: Motion carries. That is all
 3 from executive.
 4 The board retreat, it's already been spoken
 5 of, as far as the time. Make sure you get your
 6 information in if you're going to be able to attend.
 7 Compliance committee.
 8 MR. ADAMS: Thank you, sir. From
 9 compliance committee, we have five motions to bring
 10 forward today. I would like to thank the staff,
 11 Ms. Vera and her staff, today -- has done a wonderful
 12 job of getting things together for us.
 13 I move that the board adopt the compliance
 14 committee's recommendation that the following
 15 affidavits, formal reprimand be accepted for
 16 ratification: License number R-850242.
 17 I move that the board adopt the compliance
 18 committee's recommendation to deny the request of
 19 license number R-868902, NP, for early release from
 20 the respondent's 36-month probationary period. The
 21 board's compliance committee moves to modify the
 22 October 18th, 2019, final order to remove the indirect
 23 supervision and include notification of any employment
 24 change required prior approval by the board.
 25 I move that the board adopt the compliance

1 committee's recommendation to deny the request of
 2 license number R-878929 to modify the respondent's
 3 prohibited area of practice in the final order, dated
 4 and signed June 16th, 2021. Respondent is requesting
 5 to allow to work in an emergency room setting.
 6 I move that the board adopt the compliance
 7 committee's recommendation to approve the request of
 8 license number R-869380 for a second extension on the
 9 payment for the \$1,000 fine that was assessed in the
 10 final order dated and signed July 21st, 2021. The
 11 respondent is granted an additional 60-calendar-day
 12 extension.
 13 I move that the board adopt the compliance
 14 committee's recommendation to approve the petition of
 15 license number R-859306, NP, to be released early from
 16 respondent's 54-month probation period to the final
 17 order dated and signed March 20th, 2019, that
 18 incorporated the final order dated and signed October
 19 10th, 2017.
 20 MR. SHAW: Any questions on those motions?
 21 All in favor of accepting the motions from the
 22 committee?
 23 BOARD PANEL: Aye.
 24 (All in favor.)
 25 MR. SHAW: Any opposed?

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1 (No response.)
2 MR. SHAW: Advanced practice.
3 DR. KING: Mr. President, we have nothing
4 to bring forward today.
5 MR. SHAW: Nothing from advanced practice.
6 Practice committee.
7 DR. STEWART: And we have nothing to bring
8 forward.
9 MR. SHAW: Administrative code.
10 MR. ADAMS: Administrative code plans to
11 work with Ms. Johnson on formulating a meeting
12 scheduled in the next couple of weeks to discuss
13 matters that are fairly urgent.
14 MR. SHAW: Finance committee.
15 DR. STEWART: Yes. And I'll give the
16 budget report as part of this. In your packets, you
17 have a copy of the financials. The finance committee
18 did meet this morning and reviewed this, so it's
19 coming as a motion for approval from the committee.
20 But just to give you some quick information.
21 Our revenue for October was a little over \$208,000.
22 The expenses for October were 1.038 million. A large
23 sum of that - and you'll see it on, I think, page 4 of
24 this report - is because the ONW grants were paid out
25 to the schools out of that money.

1 So cash on hand is 5.3 million and some
2 change.
3 We are in the LPN renewal year, and
4 Dr. Highfill helped us with this information to get
5 the most current we have.
6 Basically, in the state, we have around 14,000
7 LPNs. As of the last count, we have 7,695 who are
8 left to renew. But this is consistent with the way
9 that apparently this happens in years past. This is
10 not unusual, and so we do anticipate that the staff
11 will be inundated with applications for renewal in the
12 next few weeks.
13 There is some progress made on the proposal
14 for the increase of the 3-percent-employee raise for
15 the staff, and we're still waiting on final approval,
16 but that is moving forward.
17 And we handled the other issue. And the last
18 thing that's just part of this report is to let you
19 know that there has been a bond secured for the
20 treasurer at \$50,000. And that's the end of my
21 report.
22 MR. SHAW: Any question for finance?
23 Thank you.
24 I would like to bring up one point that we
25 were made aware of when we were talking about the

1 renewals that I didn't understand before. But it was
2 explained that if you wait until the last minute and
3 pay your money, the payment doesn't come directly to
4 the board. It goes to another agency, and then gets
5 circled back. So there may be a delay from the time
6 you apply and pay to when you are officially approved.
7 I bring that up for the end-of-year, last-day people.
8 Just realize it may be a few days into the new year
9 before you're actually officially granted that renewal
10 license, which could cause some hiccups to some
11 organizations.
12 So for those of you that have people that are
13 employed, just kind of encourage them to not wait
14 until the last minute.
15 With that said, ONW.
16 DR. STEWART: We have a motion to accept
17 the budget.
18 MR. SHAW: Sure. Have a motion from --
19 DR. STEWART: From the committee.
20 MR. SHAW: Okay. All in favor of
21 accepting the budget?
22 BOARD PANEL: Aye.
23 MR. SHAW: Any opposed?
24 (No verbal response.)
25 MR. SHAW: All right. ONW.

1 MS. CULPEPPER: Mr. President, we have
2 nothing to bring forward from ONW at this time, but we
3 do foresee a meeting coming up late February -- I'm
4 sorry. Let me take that back. Late January, early
5 February as a quarterly meeting.
6 MR. SHAW: Good deal. With that said, any
7 other business?
8 MS. JOHNSON: I just wanted to remind the
9 board, staff, and board of directors that we will be
10 closed for the holidays, December 23rd and 24th of
11 December. And that was through the proclamation that
12 was issued by the governor, and they gave us leeway to
13 do that.
14 So if you would, if you have LPNs working for
15 you at your facility, please, please go back and
16 encourage them. Don't wait until the last minute.
17 Because as the Chairman has said, when they pay their
18 money, that goes to a different agency, and sometimes
19 that agency -- it may be two days before they are able
20 to transact that back to our IT system, and you will
21 be delinquent or non-compliant in not having a license
22 if you wait until the last minute because it will show
23 up in 2022.
24 So I just encourage you all to make sure that
25 they are aware. The board will be closed on the 23rd

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1 and the 24th, and then the next week is New Year's,
2 but, you know, we'll be here, but those holidays do
3 fall into play.
4 MS. CULPEPPER: May I ask Ms. Johnson
5 something?
6 MR. SHAW: Go ahead.
7 MS. CULPEPPER: And I just want to confirm
8 so that those LPNs out there understand this. I know
9 that from my Nursys, once they lapse, regardless of if
10 that money is in process or not, they will not be able
11 to practice.
12 MS. JOHNSON: Correct.
13 MS. CULPEPPER: So if you wait to December
14 31st, and you're not processed until the second week
15 of January, you cannot practice; correct?
16 MS. JOHNSON: You have a lapsed license
17 until the board approves it, and it's on your Gateway
18 that your license has been approved, irregardless of
19 if you paid your money in 2021.
20 MS. COLLINS: I have a question. Is there
21 a way to expedite that message via the website or text
22 or --
23 MS. JOHNSON: We've sent out on our social
24 media, and we've sent out blast e-mails to remind
25 them. It's automatically in the system to send them

1 those reminders, so they are aware.
2 MS. COLLINS: Well, that's good.
3 MS. JOHNSON: Thank you.
4 MS. COLLINS: Thank you.
5 MR. SHAW: Any other business? If not, at
6 this time, we'll stand in recess to allow the
7 attorneys to prepare for a full-board appeal.
8 (Whereupon, the above-entitled proceeding
9 recessed at 12:01 P.M.)
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1 CERTIFICATE OF COURT REPORTER
2 I, CYNTHIA HARRIS, Court Reporter and Notary
3 Public, in and for the County of Scott, State of
4 Mississippi, do hereby certify:
5 That the foregoing pages contain a full, true,
6 and correct transcription of all the proceedings taken
7 by me at the time and place heretofore stated;
8 That I am not kin or in anywise associated
9 with any of the parties to said cause of action or
10 their counsel, and that I am not financially
11 interested in the action.
12 IN WITNESS WHEREOF, I have hereunto set my
13 hand and seal, this the 3rd day of January, 2022.
14
15
16
17
18
19
20
21 _____
22 CYNTHIA HARRIS, RPR, CCR 1828
23
24
25 MY COMMISSION EXPIRES: DECEMBER 10TH, 2025