

**North Dakota Board of Nursing
Meeting Minutes – January 25, 2024**

Call to Order: January 25, 2024, at 9:00 a.m.
NDBON Board Conference Room: 919 S 7th Street, Suite 504, Bismarck, ND and Video Conference

Roll Call: Quorum declared with 9 members present.

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| Kevin Buettner, APRN Member, President | Sarah Friestad, LPN Member |
| Wendi Johnston, LPN Member Vice President | Maggie Seamands, RN Member |
| Jamie Hammer, RN Member, Treasurer | Dana Pazdernik, RN Member |
| Cheryl Froelich, Public Member | Joseph Vetter, RN Member |
| Melodi Krank, RN Member | |

Staff Present:

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| Stacey Pfenning, APRN, Executive Director | Melissa Hanson, RN, Associate Director for Compliance |
| Tammy Buchholz, RN, Associate Director for Education | Michael Frovarp, Accounting/Licensure Specialist |
| Maureen Bentz, RN, Associate Director for Practice | Sam Breen, RN, Nursing Consultant |
| Kyle Martin, Associate Director for Operations | |
| <i>SAAG: Nicholas Simonson available for select agenda items.</i> | |

Other individuals were present for all or portions of the meeting.

| Agenda Item | Discussion | Motion | Roll Call Vote |
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| 1.1 Conflict of Interest Statement | President Buettner provided a summary of the ND Ethics Commission conflict of interest law and rules. | | |
| 1.2 Consent Agenda | Reviewed the consent agenda. | Hammer motioned; Pazdernik seconded to: Adopt the consent agenda as presented. | Buettner, yes; Friestad, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 9 Yes, 0 No, 0 absent Motion carried |
| 1.3 Agenda | Reviewed agenda. | Krank motioned; Seamands seconded to: Approve the agenda as distributed | Buettner, yes; Friestad, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 9 Yes, 0 No, 0 absent Motion carried |
| 1.4 Public Forum 9:30 am | Miranda Stanley APRN FNP and Kylie Buchholz APRN FNP of the Skin Institute; Shelly Botsford APRN FNP of Pure Skin; Kristin Chorne of Gratitude Spa presented testimony related to nursing practices in aesthetic settings and patient safety. Concerns included medical directors and/or prescriber involvement in client assessments and client-specific | | |

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| | plan of care, specialized training for prescribers and RNs in med-spas, and RN scope of practice. | | |
| 2.1 Retreat minutes – October 25, 2023 | Reviewed draft October 25, 2023, annual retreat minutes. No corrections identified. | Seamands motioned; Krank seconded to: Approve the October 25, 2023, retreat meeting minutes as distributed. | Buettner, yes; Friestad, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 9 Yes, 0 No, 0 absent Motion carried |
| 2.2 Regular meeting Minutes – October 26, 2023 | Reviewed draft October 26, 2023 regular board meeting minutes. No corrections identified. | Krank motioned; Hammer seconded to: Approve the October 26, 2023, regular board minutes as distributed. | Buettner, yes; Friestad, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 9 Yes, 0 No, 0 absent Motion carried |
| 4.1 Financial statements and updates | Treasurer Hammer provided a financial overview of FY 2023 balance sheet; and the income and expense reports through December. Reviewed budget amendments reflecting approved FTE with January 1, 2024 start date. | Pazdernik motioned; Krank seconded to: Approve the amended expense budget reflecting the FTE approved October 26, 2023. | Buettner, yes; Friestad, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 9 Yes, 0 No, 0 absent Motion carried |
| 4.2 Annual audit report (Eide Bailly 9:30am) | Jared Mack, Eide Bailly representative, provided report on the annual NDBON audit. | Krank motioned; Vetter seconded to: Accept the Fiscal Year 2023 annual audit report as presented by Eide Bailly. | Buettner, yes; Friestad, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 9 Yes, 0 No, 0 absent Motion carried |
| 4.3 2023 NDBON Annual report | Reviewed the FY 2023 Annual report. | Krank motioned; Pazdernik seconded to: Approve the FY 2023 Annual Report as distributed. | Buettner, yes; Friestad, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 9 Yes, 0 No, 0 absent Motion carried |
| 5.2.1 Nurse Apprenticeship Program bi-annual progress report- Dakota Nursing Program, Lake Region State College, PN and | The NEC reviewed the bi-annual LRSC Apprenticeship Program’s progress report submitted by the nurse administrator and has made a recommendation for the Board’s consideration (supporting documents provided to the Board). | Nursing Education Committee motioned; Krank seconded to: Accept the Nursing Education Committee recommendation to: <ul style="list-style-type: none"> • Find the progress report submitted by the Dakota | Buettner, yes; Friestad, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 9 Yes, 0 No, 0 absent Motion carried |

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| <p>AAS in Nursing Programs</p> | | <p>Nursing Program Consortium, Lake Region State College, Nurse Apprenticeship Program, PN Certificate and AAS in Nursing Programs nurse administrator utilizing <u>NDAC 54-03.2-10 Innovation in Nursing Education</u> meets the NDBON reporting requirements as outlined in <u>NDAC 54-03.2-10-06. Periodic Evaluation</u>; and</p> <ul style="list-style-type: none"> Require the nurse administrator to submit a progress report June 28, 2024, providing evidence of outcomes being met and public protection not compromised for consideration of continued approval of the innovative approach as required in <u>NDAC 54-03.2-10-07. Requesting Continuation of the Innovative Approach.</u> | |
| <p>5.2.2 Nurse Apprenticeship Program bi-annual progress report-Dakota Nursing Program, Bismarck State College PN and AAS in Nursing Programs</p> | <p>The NEC reviewed the bi-annual BSC Apprenticeship Program’s progress report submitted by the nurse administrator and has made a recommendation for the Board’s consideration (supporting documents provided to the Board).</p> | <p>Nursing Education Committee motioned; Pazdernik seconded to:</p> <p>Accept the Nursing Education Committee recommendation to:</p> <ul style="list-style-type: none"> Find the progress report submitted by the Dakota Nursing Program Consortium, Bismarck State College, Nurse Apprenticeship Program, PN Certificate and AAS in Nursing Programs nurse administrator utilizing <u>NDAC 54-03.2-10 Innovation in Nursing Education</u> meets the NDBON reporting requirements as outlined in <u>NDAC 54-03.2-10-06. Periodic Evaluation</u>; and Require the nurse administrator to submit a progress report June 28, 2024, providing evidence of outcomes being met | <p>Buettner, yes; Friestad, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 9 Yes, 0 No, 0 absent Motion carried</p> |

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| | | <p>and public protection not compromised for consideration of continued approval of the innovative approach as required in <u>NDAC 54-03.2-10-07</u>. <u>Requesting Continuation of the Innovative Approach.</u></p> | |
| 5.3.1 Major programmatic request- Dickinson State University, AASPN and BSN programs | The NEC reviewed the programmatic change request from the DSU AASPN and BSN Programs nurse administrator and has made a recommendation for the Board's consideration (supporting documents provided to the Board). | <p>Nursing Education Committee motioned; Krank seconded to:</p> <p>Accept the Nursing Education Committee recommendation to:</p> <ul style="list-style-type: none"> • Approve the request for change in organizational structures affecting the nursing division for the Dickinson State University, AASPN and BSN Programs, as the program has full approval, and the change complies with <u>NDAC 54-03.2-06-02</u>. <u>Programmatic Changes.</u> | <p>Buettner, yes; Friestad, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 9 Yes, 0 No, 0 absent Motion carried</p> |
| 5.5.1 Recognized distance program request- Concordia College, Moorhead, MN, BSN program | The NEC reviewed the request from the BSN programs nurse administrator and has made a recommendation for the Board's consideration (supporting documents provided to the Board). | <p>Nursing Education Committee motioned; Vetter seconded to:</p> <p>Accept the Nursing Education Committee recommendation to:</p> <ul style="list-style-type: none"> • Approve the request from the Concordia College, Moorhead, MN, BSN Program allowing the use of BSN-prepared RNs enrolled and making progress in a graduate program for clinical practice instruction Spring 2024 as the program holds NDBON Annual Recognition, complies with <u>NDCC 43-12.1-17</u>. <u>Nursing Education Programs, Section 1</u>, and the Request Aligns with <u>NDAC 54-03.2-04-08</u> <u>Employment of Academically Unqualified Faculty, Subsection 3</u>. <u>Other Circumstances as Approved by the Board.</u> | <p>Buettner, yes; Friestad, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 9 Yes, 0 No, 0 absent Motion carried</p> |
| 6.1 Renewal CE audit | Update provided on the renewal cycle CE audit. | | |

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| <p>6.2 Credentials evaluations</p> | <p>Discussed deficiencies of academic credential reports for IENs and the challenges with obtaining support when needed from Education Credential Evaluators. A summary of the SpanTran request for consideration as an approved credentials evaluation agency was provided, including staff feedback from meetings with representatives since summer 2023.</p> | <p>Hammer motioned; Seamands seconded to:</p> <p>Approve the staff request to remove Education Credential Evaluators (ECE) from the approved list and add SpanTran to the approved list of academic credentials evaluation agencies.</p> | <p>Buettner, yes; Friestad, yes; Froelich, absent; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried</p> |
| <p>6.3 Revise UAP renewal date</p> | <p>Discussed the migration to the ORBS data base which will go live April 15, 2024 and requested a delay in the UAP annual renewal open date from April 1st until April 15th to avoid renewal occurring in two systems and allow all renewals to be completed in ORBS.</p> | <p>Seamands motioned; Krank seconded to:</p> <p>Approve adjusting the renewal initiation date for UAP to April 15, 2024 to align with the migration to ORBS.</p> | <p>Buettner, yes; Friestad, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 9 Yes, 0 No, 0 absent Motion carried</p> |
| <p>6.4 LPN applicant request for consideration of licensure by endorsement - Licon</p> | <p>Request from Raymond Licon for LPN endorsement in ND and consideration of the Army 68WM6 Practical Nurse Program by the NDBON as meeting <i>NDAC 54-02-06.1., 4.</i> Licon passed the NCLEX-PN in TX and was granted an LPN license in July 2022. The TX BON has approved the Army 68WM6.</p> <p>Board staff reviewed Army 68MW6 and coursework met or exceeded requirements.</p> | <p>Hammer motioned; Vetter seconded to:</p> <p>Approve the request from LPN endorsement applicant R. Licon to accept the completion of the Army 68WM6 Practical Nursing Program as the equivalent of a Certificate Practical Nurse Education Program to meet <i>NDAC 54-02-06.1.(4); NDCC 43-12.1-09, 2.b.</i></p> | <p>Buettner, yes; Friestad, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 9 Yes, 0 No, 0 absent Motion carried</p> |
| <p>6.5 LPN applicant request for consideration of licensure by endorsement - Nyangau</p> | <p>Request from Alex Nyangau for LPN endorsement in ND and consideration of the Army 68WM6 Practical Nurse Program by the NDBON as meeting <i>NDAC 54-02-06.1., 4.</i> Nyangau passed the NCLEX-PN in TX and was granted an LPN license in January 2018. The TX BON has approved the Army 68WM6.</p> <p>Board staff reviewed Army 68MW6 and coursework met or exceeded requirements.</p> | <p>Krank motioned; Hammer seconded to:</p> <p>Approve the request from LPN endorsement applicant A. Nyangau to accept the completion of the Army 68WM6 Practical Nursing Program as the equivalent of a Certificate Practical Nurse Education Program to meet <i>NDAC 54-02-06.1.(4); NDCC 43-12.1-09, 2.b.</i></p> | <p>Buettner, yes; Friestad, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 9 Yes, 0 No, 0 absent Motion carried</p> |
| <p>6.6 APRN application consideration-Ramsey - Alsip</p> | <p>Discussed APRN with prescriptive authority applicant, Ramsey-Alsip, including acute care NP certification, MSN and post graduate education, and current APRN licensure. Reviewed SAAG Bergeson memo reviewing law, rules, and the "Grandfather Provision" per NDCC 54-05-03.1-02.</p> | <p>Hammer motioned; Krank seconded to:</p> <p>Accept the education and certification as Acute Care Nurse Practitioner to qualify for APRN with prescriptive authority licensure in North Dakota for Ramsey-Alsip as Adult NP.</p> | <p>Buettner, yes; Friestad, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 9 Yes, 0 No, 0 absent Motion carried</p> |

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| <p>6.7 – Temporary Permit delegation from Airforce/Army programs</p> | <p>Discussed temporary permit issuance for endorsement applicants who completed an Air Force or Army Practical Nurse program following staff review of academic credentials to prevent licensure delays between Board meetings. Full licensure would be approved by the Board. Reviewed “NCSBN: A Comparison of Selected Military Health Care Occupation Curricula with a Standard Licensed Practical/Vocational Nurse Curriculum” utilized by staff as resource for credentials review.</p> | <p>Hammer motioned; Johnston seconded to:</p> <p>Delegate to the Executive Director the approval of temporary permit for applicants of LPN endorsement who have completed the Airforce BMTCP 4N051 5 skill level Practical Nursing Program or the Army 6AWM6 Practical Nursing Program, with the Board determining approval of final licensure.</p> | <p>Buettner, yes; Friestad, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 9 Yes, 0 No, 0 absent Motion carried</p> |
| <p>7.1.1 NDAC rules promulgation-AG opinion</p> | <p>Update provided on rule promulgation activities including recommended changes from the attorney general review for legality. SAAG Simonson collaborated with the AAG reviewing the rules to adjust the rules as recommended. The AAG stated that further public notice was not required for the recommended adjustments.</p> | <p>Krank motioned; Hammer seconded to:</p> <p>Approve the modified rules as recommended in the AG Review for Legality:</p> <ul style="list-style-type: none"> • Removal of “Nursing Assistance Program” from 54-01-03-01 (55) as this definition is not included in 54-10-2; and • 54-10-2 (2) change “confidential” to “exempt” to align with language in 43-12.1-08 (p); and • Repeal of 54-02-06-03.1 Military Spouses-Licensure and 05-02-06-03.2 Military Spouses-Temporary Permits as these sections were superseded on January 5, 2023, by the Federal Servicemembers Civil Relief Act (SCRA) | <p>Buettner, yes; Friestad, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 9 Yes, 0 No, 0 absent Motion carried</p> |
| <p>7.1.2 Labor Commissioner Study</p> | <p>Staff provided a summary of work done as a team to complete the DOL survey and data submission.</p> | | |
| <p>7.2.1 Nurses in aesthetic practice settings</p> | <p>Reviewed practice guidance, “Role of the licensed nurse in aesthetic setting” with existing FAQs incorporated as directed by the NDBON in October 2023. Reviewed the Aesthetic setting specific FAQs developed based on the practice guidance. Education was provided as directed by the NDBON through publication of the practice guidance and FAQs in the Winter ND Nurses Connection and on the NDBON</p> | | |

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| | website and social media. https://www.ndbon.org/Practice/PracticeGuidance/Aesthetic_Practices.asp). | | |
| 8.1 Finance Committee meeting date | Meeting dates discussed for planning the FY 2024 budget. | Krank motioned, Seamands seconded to: Approve April 23, 2024, at 11:00am as the meeting date for the NDBON Finance Committee. | Buettner, yes; Friestad, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 9 Yes, 0 No, 0 absent Motion carried |
| 8.2 Board Terms, Upcoming NDBON positions, Officers | Discussed Board terms ending June 30, 2024 (Hammer and Johnston). The positions of vice president and treasurer will be vacant. Officer elections will be held at the July meeting. Hammer and Johnston's NEC terms will end April 2024; two Board members will be appointed to NEC in April. | | |
| 8.3 NCSBN Model Act & Rules Committee- Pfenning appointment | Pfenning appointed to the NCSBN Model Act and Rules Committee for a two-year term. | Krank motioned; Johnston seconded to: Approve the appointment of Dr. Pfenning NDBON, Executive director, to the NCSBN Model Act & Rules Committee. | Buettner, yes; Friestad, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 9 Yes, 0 No, 0 absent Motion carried |
| 9.1 Operations update | Martin provided an update on ORBS. | | |
| 10.3.1 Request for Reinstatement- Dakota Tucker, LPN | Convened in open meeting to consider Dakota Tucker's request for reinstatement. Ms. Tucker presented in person. The Compliance Advisory Council recommendation of reinstatement to a three-year encumbrance was reviewed. | Krank motioned; Hammer seconded to: Grant reinstatement of Dakota Tucker's LPN license to encumbered status for one (1) year with terms and conditions of the encumbrance as established by the Board and as set out in the Board Order as she has fulfilled all requirements for reinstatement. | Buettner, yes; Friestad, yes; Froelich, absent; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried |
| 10.4.1 Request for Reissuance- Bridget Bergeson, RN | Bridget Bergeson is requesting reissuance of her RN license from encumbered status to full licensure status. NDBON reviewed the Stipulation for Settlement dated July 28, 2022, Ms. Bergeson's compliance with this order and the Compliance Advisory Council recommendation to reissue the RN license to unrestricted and full licensure status. Per report by staff, she has completed the terms and conditions of the Order for Reinstatement dated Stipulation for Settlement dated July 28, 2022. | Johnston motioned; Seamands seconded to: Ratify the request for reissuance of Bridget Bergeson's RN license to unrestricted practice and full licensure status as she has complied with the terms and conditions of the Stipulation for Settlement dated July 28, 2022, | Buettner, yes; Friestad, yes; Froelich, absent; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried |

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| | | which was signed by Executive Director, Pfenning on January 2, 2024. | |
| 10.6.1 Surrender – Shelly Bladow, RN | Shelly Bladow signed and submitted a surrender, seeking the NDBON’s consideration and approval of the terms of her surrender. Executive Director Pfenning approved and signed the Surrender on January 2, 2024. NDBON reviewed and discussed the facts and terms of the surrender. | Seamands motioned; Pazdernik seconded to: Ratify the Surrender of Shelly Bladow’s RN license, which was signed by the Executive Director, Pfenning on January 2, 2024. | Buettner, yes; Friestad, yes; Froelich, absent; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried |
| 10.8.1 Stipulation for Settlement – Betsy Horken, RN | PVR received on 09/11/2023 from a concerned citizen. DOE: 2008 to 2013. Resigned employment. Returned in 2018 to current. Allegations r/t violating a minor patient’s privacy and failing to obtain parental consent. NDBON reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3) and NDAC 54-02-07-01.1 (5)(6)(8). | Krank motioned; Seamands seconded to: Accept the terms of the proposed Stipulation for Settlement for Betsy Horken, RN, and enter its order to: <ul style="list-style-type: none"> • Issue a Reprimand; • Assess \$700 penalty plus costs and disbursements; and • Other terms as set out in Board order. | Buettner, yes; Friestad, yes; Froelich, absent; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried |
| 10.8.2 Stipulation for Settlement - Arash Bakhtiar, AR PTP RN | PVR received on 09/13/2023 from Sanford Medical Center in Fargo, ND related to his contracted employment. DOE: December 2022 to July 2023. Contract terminated. Allegations r/t violating a patient’s privacy. NDBON reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (5) and NDAC 54-02-07-01.1 (5)(8)(17). | Vetter motioned; Friestad seconded to: Accept the terms of the proposed Stipulation for Settlement for Arash Bakhtiar, RN and enter its order to: <ul style="list-style-type: none"> • Issue a Reprimand; • Assess \$700 penalty plus costs and disbursements; • Course on professional boundaries; and • Other terms as set out in Board order. | Buettner, yes; Friestad, yes; Froelich, absent; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried |
| 10.8.3 Stipulation for Settlement – Brittany Perleberg, RN | PVR received on 09/15/2023 from CaringEdge Home Health & Hospice in Bismarck, ND. DOE: December 2021 to September 2023. Employment terminated. Allegations r/t multiple incidents of nurse failing to follow standards of care and facility policy. NDBON reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3) and NDAC 54-02-07-01.1 (5)(6)(8). | Pazdernik motioned; Krank seconded to: Accept the terms of the proposed Stipulation for Settlement for Brittany Perleberg, RN and enter its order to: <ul style="list-style-type: none"> • Issue a Reprimand; • Assess \$700 penalty plus costs and disbursements; | Buettner, yes; Friestad, yes; Froelich, absent; Hammer, absent; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 7 Yes, 0 No, 2 absent Motion carried |

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| | | <ul style="list-style-type: none"> • Course on professional accountability; and • Other terms as set out in Board order. | |
| 10.8.4 Stipulation for Settlement – Spencer Sikorski, RN | PVR received on 4/11/2023 from Essentia Health, Fargo, ND. DOE: July 11, 2022 to March 31, 2023. Employment terminated. Allegations r/t impairment at work. NDBON reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3) and NDAC 54-02-07-01.1 (5)(6)(8)(12). | <p>Johnston motioned; Hammer seconded to:</p> <p>Accept the terms of the proposed Stipulation for Settlement for Spencer Sikorski, RN and enter its order to:</p> <ul style="list-style-type: none"> • Suspend his license for 6 months until terms met then: • Encumbrance of his license for 3 years; • \$700 Penalty Fee plus costs and disbursements; and • Other terms as set out in Board order. | <p>Buettner, yes; Friestad, yes; Froelich, absent; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried</p> |
| 10.8.5 Stipulation for Settlement - Amanda Berger, RN | 1st PVR received on 10/26/2023 and 2nd PVR received 11/3/2023 both from Good Samaritan Society Sunset Drive, Mandan, ND. DOE: January 22, 2019 to October 27, 2023. Employment terminated. Allegations r/t multiple narcotic administration errors, and resident alleged theft of her narcotics. NDBON reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (5) and NDAC 54-02-07-01.1 (5)(6)(7). | <p>Hammer motioned; Vetter seconded to:</p> <p>Accept terms of the proposed Stipulation for Settlement for Amanda Berger, RN and enter its order to:</p> <ul style="list-style-type: none"> • Issue a Reprimand; • Random drug screens for two (2) years; • Assess \$700 penalty plus costs and disbursements; and • Other terms as set out in Board order. | <p>Buettner, yes; Friestad, yes; Froelich, absent; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried</p> |
| 10.8.6 Stipulation for Settlement - Nadia Nunez, LPN | PVR received on 08/7/2023 from Focus One Solutions, Omaha- Travel nurse. Incidents occurred at Good Samaritan Society, Bottineau, ND. DOE: Contract began March 22, 2023- on July 23, 2023, she resigned (with four shifts left in contract). Allegations r/t multiple medication administration errors and falsification of documentation of a nebulizer treatment and pain assessment. NDBON reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3)(5) and NDAC 54-02-07-01.1 (5)(6)(7)(8). | <p>Krank motioned, Pazdernik seconded to:</p> <p>Accept the terms of the proposed Stipulation for Settlement for Nadia Nunez, LPN and enter its order to:</p> <ul style="list-style-type: none"> • Encumber the License for one (1) year; • Refresher course to be completed within six (6) months; | <p>Buettner, yes; Friestad, yes; Froelich, absent; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried</p> |

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| | | <ul style="list-style-type: none"> • Assess a \$1200 penalty plus costs and disbursements; and • Other terms as set out in Board order. | |
| 10.8.6 Stipulation for Settlement – Nadia Nunez, LPN | Ms. Nunez has requested to use NEL funds to assist with fees to complete Nurse Refresher Course as required in her Stipulation for Settlement. NDBON reviewed and discussed the request. | Seamands motioned; Pazdernik seconded to: Grant the utilization of NEL funds for Nadia Nunez, LPN to complete a Nurse Refresher Course as required in her Stipulation for Settlement. | Buettner, yes; Friestad, yes; Froelich, absent; Hammer, absent; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 7 Yes, 0 No, 2 absent Motion carried |
| 10.8.7 Stipulation for Settlement – Aduare Ugboke, RN | PVR received on 10/20/2023 from Baptist Health Care Center, Bismarck, ND. DOE: July 26, 2023 to September 29, 2023. Employment terminated. Allegations r/t multiple standard of care concerns. NDBON reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3) and NDAC 54-02-07-01.1 (5)(6)(8). | Krank motioned; Hammer seconded to: Accept the terms of the proposed Stipulation for Settlement for Aduare Ugboke, RN and enter its order to: <ul style="list-style-type: none"> • Encumber the License for one (1) year; • Refresher course to be completed within six (6) months; • Assess a \$700 penalty plus costs and disbursements; and • Other terms as set out in Board order. | Buettner, yes; Friestad, yes; Froelich, absent; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried |
| 10.8.7 Stipulation for Settlement – Aduare Ugboke, RN | Ms. Ugboke has requested to use NEL funds to assist with fees to complete Nurse Refresher Course as required in her Stipulation for Settlement. NDBON reviewed and discussed the request. | Seamands motioned; Pazdernik seconded to: Grant the utilization of NEL funds for Aduare Ugboke, RN to complete a Nurse Refresher Course as required in her Stipulation for Settlement. | Buettner, yes; Friestad, yes; Froelich, absent; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried |
| 10.11.1 Draft Revisions to PVR Process Policy | The updated PVR Process Policy was reviewed with changes that reflect previously approved language from the Compliance Advisory Council policy. | Seamands motioned; Krank seconded to: Approve the revised PVR Process Policy. | Buettner, yes; Friestad, yes; Froelich, absent; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried |
| 10.11.2 Draft Revisions to Practice Without a Current License or Registry Policy | The updated Practice Without a Current License or Registry Policy was reviewed. The changes reflect Board's efforts to reduce barriers to the issuance of licenses, registries, or temporary permits. | Vetter motioned; Krank seconded to: Approve the revised Practice Without a Current License or Registry Policy. | Buettner, yes; Friestad, yes; Froelich, absent; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. |

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| | | | 8 Yes, 0 No, 1 absent Motion carried |
| 10.12.1 Other: Amendment to Order – Brett Jordan, RN | Licensee was required to comply with the encumbrance terms and conditions set forth in the Order (Stipulation for Settlement, adopted October 26, 2023); however, Licensee has requested that he be required to comply with certain terms and conditions only after he obtains employment as a Registered Nurse. Executive Director signed the Amendment to Order on January 23, 2024, subject to ratification by the Board. | Pazdernik motioned; Seamands seconded to: Ratify the Amendment to Order for Brett Jordan, RN. The Amendment to Order was signed by Executive Director Pfenning on January 23, 2024. | Buettner, yes; Friestad, yes; Froelich, absent; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried |
| 10.12.2 Amendment to Order – Lana Straub, LPN | Licensee was required to comply with the encumbrance terms and conditions set forth in the Order (Stipulation for Settlement, adopted October 25, 2018); however, Licensee has requested that she be required to comply with certain terms and conditions only after she obtains employment as a Registered Nurse. Executive Director signed the Amendment to Order on January 23, 2024, subject to ratification by the Board. | Seamands motioned; Krank seconded to: Ratify the Amendment to Order for Lana Straub, LPN. The Amendment to Order was signed by Executive Director Pfenning on January 23, 2024. | Buettner, yes; Friestad, yes; Froelich, absent; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried |
| 10.12.3 Amendment to Order for Reinstatement – Nicole Dykema, RN | Licensee’s request for an extension of time to complete the refresher course is granted, and Licensee shall be required to complete the refresher course, including both a theory component and a clinical component, by July 31, 2024. Executive Director signed the Amendment to Order for Reinstatement of License on January 23, 2024, subject to ratification by the Board. | Krank motioned; Friestad seconded to: Ratify the Amendment to Order for Reinstatement for Nicole Dykema, RN. The Amendment to Order was signed by Executive Director Pfenning on January 23, 2024. | Buettner, yes; Friestad, yes; Froelich, absent; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried |
| Adjournment | Adjournment at 2:12 p.m. | Krank motioned; Seamands seconded to: Adjourn the meeting | |
| <p>3. Consent Agenda (Ratifications and acknowledgements of requests and notifications to the NDBON)</p> <p>3.1 Meetings, conferences, committees-Board representation</p> <p>3.1.1 NLC: Commission, Rules Committee-Pfenning; Compliance Committee-Hanson; Research Committee-Buchholz (Chair); Policy Committee-Bentz; Technology Task Force - Martin</p> <p>3.1.2 NCSBN: Leadership Succession Committee–Buchholz Chair; Model Act & Rules Committee-Pfenning (starts in 2024)</p> <p>3.1.3 ND State Health Council-Pfenning-November 28</p> <p>3.1.4 PDMP Advisory Council-Pfenning-December 14</p> <p>3.1.5 ND Professional Health Program-Bentz-November 2023</p> <p>3.1.6 ND Tri-Regulator Collaborative-January 3, 2024</p> <p>3.2 Notifications/Requests to the Board</p> | | | |

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- 3.2.1 Malpractice Reports
- 3.2.2 Child Support Division request for data sharing
- 3.3 Legislative Update
- 3.4 Unlicensed Assistive Person /Medication Assistant
- 3.5 Licensure
 - 3.5.1 NCLEX RN Quarter 2 Updates
 - 3.5.2 NCLEX PN Quarter 2 Updates
 - 3.5.3 Emergency Limited License
 - 3.5.4 Exemption review for Nursing Practice
- 3.6 Discipline
 - 3.6.1 Discipline statistics/case activity report
 - 3.6.2 NLC case log
- 3.7 Academic and Continuing Nursing Education
 - 3.7.1 Ratification of approval for continuing education for contact hours: October 1-December 31, 2023
 - 3.7.2 Recognized Distance Nursing Education Programs student placements: Spring 2024
 - 3.7.3 Faculty Developmental Program- October 1st, next submissions February 1, 2024
 - 3.7.4 Education Program Survey Schedule Spring-Summer-Fall 2024
 - 3.7.5 Rasmussen University, BSN Program, Fargo, ND, Notification of a change in nurse administrator, of Mr. Mark Alvarez, RN, effective January 2, 2024.

Break from 10:05 am to 10:18 am

Recessed for lunch from 11:51 am to 12:32 pm

Stacey Pfenning, DNP, APRN, FNP, FAANP
North Dakota Board of Nursing Executive Director
Approved by ND Board of Nursing 01/2024