

## Guam Board of Nurse Examiners

Thursday, March 14, 2024 at 3:00 PM

Join Zoom Meeting <https://us06web.zoom.us/j/87818022605?pwd=5HkdGriLxHrQialqcILbgcuOEosBYG.1>

Meeting ID: 878 1802 2605; Passcode: 724000

### MINUTES

Item		Discussion	Responsible Party	Reporting Timeframe	Status	
I	Call to Order	Chaired by: Greg Woodard	Chair	1510	Called to Order	
II	Proof of Publication	Guam Daily Post Ads 3/07/2024 and 3/12/2024	HPLO	1510	Confirmed	
III	Roll Call	<p><b>GBNE Members:</b>  <u>Physically Present at HPLO:</u> None  <u>Virtual Attendance:</u>  <input checked="" type="checkbox"/> Greg Woodard, APRN-NPC, AOCNP, Chair  <input type="checkbox"/> Anna Varghese, RN, DNP, Vice-Chair  <input checked="" type="checkbox"/> Charlotte Huntsman, GMRC, Public Member  <input checked="" type="checkbox"/> Philip John Calalo, DNP, RN, Secretary  <input checked="" type="checkbox"/> Brenda Manzana, LPN, Member  <input checked="" type="checkbox"/> Gia Ramos, RN, Treasurer</p>	<p><b>Other Attendees:</b>  <u>Physically Present at HPLO:</u>  <u>Virtual Attendance:</u>                      Z. Pecina, HPLO Administrator                      Rosemary Carman-HPLO                      Danilophilbert Bilong-HPLO                      Jasmine Almoguera – HPLO                      Dean. Connor</p>	GBNE	1511	Quorum Established
IV	Adoption of the Agenda	<i>Motion to adopt: G. Woodard; 2<sup>nd</sup>: G. Ramos.</i>	GBNE	1512	Unanimously Adopted	
V	Approval of Minutes	<i>Motion to approve: G. Woodard; 2<sup>nd</sup> B. Manzana.</i>	GBNE	1514	Unanimously Approved	
VI	Treasurer's Report	G. Ramos reported that there is no report for this meeting.	G. Ramos	1514	No Report	
VII	Committee Reports	<p><b>Rules and Regulations (Proposed).</b>                      The Chair stated that the Rules and Regulations have been submitted to the attorney for review. Z. Pecina suggested that certain amendments must be made and requested to wait till next meeting to discuss these changes.</p>	GBNE	1514	Noted	
VIII	Nursing Education	<p><b>A. GMTC CNA Plan of Action</b>                      Z. Pecina reported that the GMTC submitted the Plan of Action and appears to be in order. Since GMTC has not met requirement for passing since 2019, HPLO stated that GMTC would remain under probation, but would be able to operate. GMTC reported that it is currently has a passing rate of 82%. The passing rate is based on the number of participants in the cohort, and the students have up to one year to take and pass the exam, which is based on the national rules. A yearly re-evaluation will be conducted. Z. Pecina suggested the Board review the Rules and Regulations for the Nursing Education programs Section 6.0 and 6.4.  <i>Motion to approve the GMTC plan of action along with a reevaluation of the program in June of 2024: Ramos; 2<sup>nd</sup>: G. Woodard</i></p>	A. Varghese	1516	Unanimously Approved	

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IX	Administrator's Report	<p>Z. Pecina reported:</p> <ul style="list-style-type: none"> <li>A draft templated reporting format for standardization is in the works for future Nursing Education reports. She expressed appreciation to GMTC for considering the Board's comments its response.</li> <li>In compliance with the ADA some amendments to the Rules and Regulations to remove wording that concerns mental and physical health, etc., which is in-line with the NCSBN.</li> <li>WA is now a compact state, and several U.S. States have enacted legislation. It is anticipated that the compact will be passed in 2024. Two states (OR and NV) are expected pass the Nursing License Compact in 2025.</li> <li>For the APRN, AZ, MD and SD enacted the APRN compact. G. Woodard stated there is some confusion regarding joining a compact license and the scope of practice. Z. Pecina offered to attend a APRN meeting to help provide clarification.</li> <li>HPLO submitted an award packet to the NCSBN for the GBNE.</li> <li>Board Composition: awaiting an appointment for a public member.</li> <li>NLC update: Guam is currently waiting on the FBI to approve fingerprint scans. Once that is approved, new multi-state licenses can be distributed. NOTE: Rules and Regulations and fees need to be approved before moving forward.</li> </ul>	Z. Pecina	1527	Noted
		<p><b>A. GBNE Complaints</b></p> <p><b>1. GBNE-CO-20-007/1, 2, 3, 4, 6 &amp; 7 Received 9/16/20.</b> G. Woodard reported that there is no report for this meeting.</p>	G Woodard		Tabled
		<p><b>2. GBNE-CO-23-001. Received 4/3/23.</b> P. Calalo awaiting update from attorney.</p>	P. Calalo		Tabled
		<p><b>3. GBNE-CO-23-002 Received 8/14/23.</b> B. Manzana reported that the complaint concerns a traveling nurse that was employed at GMHA in Sep 2023; however, the nurse held a single state license and was not authorized to be licensed in Guam; she failed to inform the agent that she only held a single state license at the time she submitted her application to work in Guam. Z. Pecina stated that, although the nurse has since obtained a multi-state license in OH and since the nurse is under investigation, a temporary license for Guam is withheld and GMHA has been informed. In addition, GMHA is also being investigated for the possible violation of the Rules and Regulations (4.11.G.) for allowing an individual to practice without a license. Although there is no requirement to register with the GBNE, the organizations are encouraged to register travelling nurses in NURSYS. Z. Pecina suggested that the Board consider the intent when deciding on the disposition following the investigation. B. Manzana stated that NCSBN has a Board Action Pathway to assist the Board in its decision-making process. Given that this would be the first time the Board may decide to issue a penalty to a facility, she suggested that legal guidance also be provided. G. Ramos suggested the Board consider offering some education to facilities regarding the validation process for multi-state licenses. Z. Pecina stated that she has been in discussion with other States that may have had a similar experience. In addition, she stated that the unlicensed nurse had</p>	B. Manzana		In Progress

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	<p>provided services to CMS patients, so these costs may have to be paid back based on precedent in other States. In addition, she stated that, although a third-party agency recruits travel nurses, the responsibility of validating the licensed nurse lies with the medical facility (i.e., the Board would not have jurisdiction over the third-party); the law clearly states that the organization could be cited for allowing an unlicensed nurse to practice. B. Manzana stated that, although there is a shortage of nurses, the health organization must do its due diligence to ensure licenses are valid prior to performing services. Z. Pecina stated HPL0 will submit a speed memo to OH to clarify the situation; B. Manzana stated that, once OH is alert of this case in Guam, OH may revoke her multi-state license since she is under investigation.</p>			
X	<p><b>Old Business</b></p> <p><b>A. Pending Renewal Licenses.</b>  <b>Kelly Neil, RN/APRN.</b>  Z. Pecina reported that the applicant is currently on probation with the CA Board; therefore, she is unable to obtain a license until probation is clear. Her RN license is active; however, she is unable to apply for a APRN..  <i>Motion to close: G. Woodard; 2<sup>nd</sup>: C. Huntsman</i></p> <p><b>B. Conditional Licenses</b>  <b>Takai, Krysta.</b> The Chair stated that the court case is pending and an extension was granted</p> <p><b>C. Hutton, Hazel, NNAAP Exam</b>  Z. Pecina reported that the applicant had a case that was completed a couple of years ago. However, the UOG does not want to admit her into the CNA program if the GBNE does not intend to approve her application for licensure when she completes the exam. Z. Pecina stated if she completes the course then she would be afforded the opportunity to complete the exam.  <i>Motion to close case: G. Woodard; 2<sup>nd</sup> G. Ramos</i></p> <p><b>D. NCSBN Disciplinary Guidelines.</b> B. Manzana provided an overview of the Board Action Pathway, which is available to the GBNE when addressing complaints. NOTE: HPL0 to email the guidelines to the GBNE members.</p>	GBNE		<p>Unanimously Closed</p> <hr/> <p>In Progress</p> <hr/> <p>Unanimously Closed</p> <hr/> <p>Noted. HPL0 to send information to GBNE</p>
XI	<p><b>New Business</b></p> <p><b>A. Endorsement Application</b>  <b>Conner, Dean A.</b> B. Manzana stated that the nurse was terminated due to allegations that he was intoxicated while on shift (smelled of or consumed alcohol). Since he held a multi-state license, the FL Board was contacted to conduct its own investigation. Z. Pecina stated that the individual had applied for a single state license in Guam, while FL continued with its investigation. The nurse readily admitted he had a problem and self-enrolled into and completed a treatment program. Furthermore, it would be up to his employer to take the next steps. Based on the investigation, B. Manzana there was no patient harm. Mr. Conner informed the Board that he had alcohol in his system and completed the 12-week program at GBHWC New Beginnings and was tested regularly; he stated that it was a hard lesson learned and regretted the situation he is in. R. Carman confirmed that documentation from New Beginnings was provided to include a certificate of completion. Z. Pecina extended appreciation to GMRC on how it handled the situation, as well as recognized Mr.</p>	GBNE	1607	Unanimously approved

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	Conner's courage to prevail in the rehabilitation program. B. Manzana proposed to approve his application without any additional fees. <i>Motion to approve: G. Woodard; 2<sup>nd</sup>: B. Manzana</i>			
XII	Announcements Next Meeting is April 11, 2024 at 3PM	GBNE	1625	Set Meeting Date
XIII	Adjournment <i>Motion to Adjourn: G. Woodard</i>	GBNE	1629	Adjourned

Minutes Drafted by: FLAME TREE Freedom Center, Inc.

Date Submitted: 3/25/2024

Submitted by the GBNE Secretary: 

Date: 4/18/24

Approved by the GBNE with or without changes: 

Date: 4/18/24

Certified by or Attested by the Chairperson: 

Date: 4/18/24