

Department of Public Health & Social Services
GUAM BOARD OF NURSE EXAMINERS
REGULAR VIRTUAL BOARD MEETING
3:00 PM, Thursday, July 8, 2021

Go To Meeting Site:
<https://global.gotomeeting.com/join/482774133>
 Access Code: : 482-774-133

MEETING MINUTES

- Members Present:**
- Madette S. Santos, RN, MPA, Chairperson (Community RN);
 - Min Hitois, DNP, FNP-BC, Vice Chairperson (APRN);
 - Linda Manzana, Secretary-LPN;
 - Anna Varghese, DNP, CMSRN, Member (UOG);
 - Kristine Tuquero, RN, MSN, Member (GMHA);
 - Lisa (Lisa) Dames, Treasurer;

- Other Attendees:**
- Rob Weinberg, Asst AG
 - Shicara Irvin, Applicant
 - Carmela Santos, RN
 - Margaret Perez
 - Zennia Pecina, Executive Officer (EO/HPLO Admin);
 - Rosemary Carman, HPLO;
 - Breanna Sablan, HPLO
 - Deborah Borja, HPLO
 - Shania Nitaro, Law Office of Vanessa Williams
 - Almin Manlucu, Atty. Vanessa Williams
 - Eddy Reyes, FLAME TREE Freedom Center, Inc.
 - Chantay Benitez, FLAME TREE Freedom Center, Inc.

TOPIC	DISCUSSION ITEMS / DECISIONS / ACTION(S) MADE	RESPONSIBLE PARTY	REPORTING TIMEFRAME	STATUS
CALL TO ORDER	Called to order 3:20pm	Chair	3:20	Noted
PROOF OF PUBLICATION	A. PDN 6/30/21	HPLO	3:20	Confirmed
	B. PDN 7/6/21	HPLO	3:20	Confirmed
ROLL CALL/ QUORUM	See attendees listed above	Chair	3:21	Noted
ADOPTION OF AGENDA	A. Adoption of Agenda. - Motion to Adopt: <i>A. Varghese 2nd C. Tuquero</i>	GIBNE	3:23	Adopted
MINUTES FOR REVIEW AND APPROVAL	A. June 10, 2021 Virtual Regular Meeting	GIBNE	3:24	Approved
	- Motion to Approve: <i>E. Dames 2nd A. Varghese</i>			
CHAIRPERSON'S REPORT	- Nothing to report at this time.	Chair	3:30	Noted
TREASURER'S REPORT	A. FY2022 Budget - Treasurer met with HPLO staff and was very happy with the assistance in understanding the finances.	Treasurer	3:34	Noted

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VIII. COMMITTEE REPORTS	<ul style="list-style-type: none"> - GIBNE needs to provide a list of what would be needed, so that it could be incorporated in the FY2022 budget, Miscellaneous (supplies, equipment, exams). Deadline to submit: July 20, 2021. B. FY2020-FY2021 Lapse Funds <ul style="list-style-type: none"> - As of now, HPL0 has lapse funds that total \$449,000 that needs to be spent by the end of FY2021. These funds have been carried over from FY2020. The Treasurer will send this information to all GIBNE Board members. The following is a of what the Boards have requested thus far: <ul style="list-style-type: none"> - \$150,000 for an Aity - \$71,000 for an Investigator - \$72,000 for an Inspector - \$21,000 for a Vehicle - \$10,000 for Live streaming capability - \$1,500 for a Meeting OWL - \$75,000 for Website Maintenance - \$47,000 for a Board Employee for GIBNE (FY2022) 	GIBNE	3:55	No Report
	<ul style="list-style-type: none"> A. Disciplinary Matrix Guidance – C. Tuquero, K. Hitosis and B. Santos <ul style="list-style-type: none"> - Nothing to report at this time. B. Rules and Regulations/RFNA – A. Varghese, B. Manzana and K. Hitosis <ol style="list-style-type: none"> 1. RNFA – K. Hitosis <ul style="list-style-type: none"> - Nothing to report at this time. C. Forms – E. Dames, B. Santos and R. Carman. <ol style="list-style-type: none"> 1. Duty to Report form 2. GIBNE Initial/Renewal Application <ul style="list-style-type: none"> - Nothing to report at this time. 	GIBNE	3:55	No Report
IX. NURSING EDUCATION REPORT	<ul style="list-style-type: none"> A. GCC received B. GMTC received 	GIBNE	3:55	Tabled
X. CERTIFIED NURSE ASSISTANTS	<ul style="list-style-type: none"> A. Request for Modification in the Rules and Regulations <ul style="list-style-type: none"> - Dr. Margaret addressed the GIBNE about the current Rules and Regulations stating a limit of a 1:12 Instructor to Student ratio for Lab/Clinicals and a 1:20 Instructor to Student ratio in the classroom. For practical purposes, there are two clinical groups because of the overwhelming job need. So, if there is a need for two clinical groups of 12 that would equal 24 students. It doesn't make sense that the limit is 20. Dr. Margaret is asking that the Rules and Regulations be updated to a limit of 1:24 for classroom and keep the Lab/Clinicals limit at 1:12. - GDOL is asking for a new cohort of apprentices for CNA and thankfully GMH has completed all the paperwork to be a registered apprenticeship site so there's federal funding to allow for CNA apprentices at GMH which is really groundbreaking and good for Guam. Dr. Margaret would like to take 21 students total for this new cohort, but based on the Rules and Regs. they are limited to 20. Because of COVID, clinical groups are limited to 7-8 per group. - These ratios apply to specifically the CNA Program, under section 6.22 Approval Process for the Nurse Assistant Education Program. BSN is different in that they only cap the clinical group at 1:10 and not the classroom. 	GIBNE	4:45	Noted

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<p>XI</p> <p>ADMINISTRATOR'S REPORT</p>	<ul style="list-style-type: none"> - The Chairperson will look for Dr. Margaret's Letter of Request submitted June 7, 2021. Dr. Margaret may or may not also send a Waiver to change the Rules and Regs through a different process. <p>B. CNA Testing</p> <ul style="list-style-type: none"> - There are 15-20 that HPLO would like to test; HPLO has 15-20 testing materials available. - Target date would be July 24, 2021 in the morning. This date will be locked in with SNU. - All present Board members are available. Chairperson will check with Brenda at a later time. <p>A. Live Streaming and Posting Agenda</p> <ul style="list-style-type: none"> - There is a 5-day posting of the agenda requirement by law along with the live streaming of the Virtual Regular Board meetings. <p>B. Website Launch</p> <ul style="list-style-type: none"> - Website will go live tomorrow July 9, 2021. <p>C. NLC Orbs</p> <ul style="list-style-type: none"> - HPLO sent Specs to the Office of Technology. More information pending. <p>D. Mandatory HPLO Orientation and Ethics Training</p> <ul style="list-style-type: none"> - More information will be sent to all Board members. <p>E. Professional Licensing Report</p> <ul style="list-style-type: none"> - HPLO will send this to all Board members. - This document has a lot of real live cases to use as a guide for disciplinary case processes. - It has sample cases for all Boards including GBNE. <p>F. Disciplinary Reports</p> <ol style="list-style-type: none"> 1. GBNE-CO-19-004 E. Dames <ul style="list-style-type: none"> - This case was first submitted in 2018. This person was a CNA terminated from GRMC because they did not report to work for four days without notice. This violated GRMC guidelines. This person was renewed a license for 2022. - Assessed to be an HR matter and is not related to Board regulations. - Motion to Dismiss: <i>E. Dames 2nd K. Hittosis</i> 2. GBNE-CO-19-005 B. Manzana <ul style="list-style-type: none"> - Board member reporting is absent and cannot report. 3. GBNE-CO-19-007 B. Manzana <ul style="list-style-type: none"> - Board member reporting is absent and cannot report. 4. GBNE-CO-19-008 B. Manzana <ul style="list-style-type: none"> - Board member reporting is absent and cannot report. 5. GBNE-CO-19-018 E. Dames <ul style="list-style-type: none"> - This case involves a person who practiced outside of their scope of practice at GRMC. The person was sent a Disciplinary Letter on Sep. 30, 2019. The person was suspended for three days and issued a final warning. - E. Dames emailed Nursing Supervisor Jennifer Cruz because there was nothing in the file indicating what the violation was other than practicing outside the scope of practice. The RN had something in the file explaining their position and what happened, but there was no point of view from the GRMC perspective. - The file is still open until a response email is received from GRMC. Jennifer is off island. 	<p>GBNE</p> <p>HPLO</p>	<p>3:56</p> <p>3:59</p> <p>4:02</p> <p>4:04</p> <p>4:05</p> <p>4:08</p> <p>4:09</p> <p>4:09</p> <p>4:09</p> <p>4:09</p> <p>4:16</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Dismissed</p> <p>Tabled</p> <p>Tabled</p> <p>Tabled</p> <p>Tabled</p>

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	<p>6. GBNE-CO-20-002 B. Santos</p> <ul style="list-style-type: none"> - Nurse Carmela Santos is present to defend herself in this case. - GBNE received this complaint from Jennifer Cruz on June 1, 2020. It was assigned to a DPHSS Board member, who has since resigned. B. Santos has taken over as Board member investigator. This complaint is because of unsafe and unprofessional practice abandoning post for a couple hours. B. Santos has the documents put together by the previous investigators. The Chief Nursing Officer at GRMC stated that Carmela was a Charged Nurse during the night shift. There was a history of her leaving post, but this time the concern was leaving for a long period of time captured on CCTV from 4:00 am - 6:00 am. The Investigator who visited GRMC requested documents from HR regarding disciplinary actions, and CCTV was reviewed. The investigator was able to interview some of the staff members and the supervisor of security, but not the supervisor because they were no longer employed at the time of investigation. - On Jan. 31, 2020 9:38 pm, Carmela Santos left the Nursing Station. The CCTV Camera caught the Nurse at 21:40 going into a room. Mr. McKinnon, the Security Supervisor, stated that the room was the Lounge. At 10:15 pm, she left the lounge with another nurse named Christine Corday. During that time, the Emergency Department (ED) Nursing Station had other Nurses checking the patients. After review of the videos, the ED seemed busy. Mr. McKinnon agreed there seemed to be a lot of staff going in and out of the patient rooms. - On Feb. 1, 2020 4:40 am, Ms. Santos was seen walking in the hallway of the ED and went into the Lounge at 4:49 am. A few seconds later, she headed out of the Lounge and into the Ambulance Bay. At 6:01 am, she is seen at the Ambulance Bay of the hospital. Mr. McKinnon observed the video of her being at the Ambulance Bay from 4:48 am to 6:01 am. During this time, the ED was busy. - Reports from the Interviews with the Nursing staff at this time stated that they were aware that she was not at the post. She gave notification to the Nurses she was working with. Other staff were aware too. 4 other staff members that Investigators communicated with stated they knew where she was. - Carmela Santos made her defending statement to the GBNE: <ul style="list-style-type: none"> - That specific night she was not sure what happened, but for a couple months prior she was going through personal issues that she informed her Manager about at that time. She felt it was the right thing to do to let him know. She also does not recall being gone for that long. She was in and out of different rooms to take personal calls because of personal matters. Her husband was deployed at the time and the time difference was creating conflict with her work shifts. Two hours at most was shocking to her because it doesn't feel like it took that long for her. In her defense, she was in the vicinity and let the staff around her know. Her personal matters that she was dealing with at the time led her to resign. - Questions from the GBNE: <ul style="list-style-type: none"> - What was the staffing mix? <ul style="list-style-type: none"> - Answer: Going back to the schedule, 1 LPN, 5-6 RN. - Did you inform the supervisor? 			

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	<ul style="list-style-type: none"> - Answer: Yes, she did when she had to go home one time. The Nursing Supervisor let her go because there was enough staffing. She said she was never away for more than 10 minutes at a time. - What unit were you working at? <ul style="list-style-type: none"> - Answer: Emergency Dept. She was a Charge Nurse. - Did you have any patients assigned to you? <ul style="list-style-type: none"> - Answer: She was overseeing the entire unit with no direct patient care. She asked if anyone needed her assistance before she stepped out. - How many times did you have to leave the unit for 5-10 minutes each? <ul style="list-style-type: none"> - Answer: 3-4 times. - Were you a Charge Nurse or Resource Nurse or Both? <ul style="list-style-type: none"> - Answer: Charge Nurse - What is your definition of a Charge Nurse? Functions? <ul style="list-style-type: none"> - Answer: Responsibilities were to oversee the entire unit, supervise nursing staff, monitor charting, provide assistance to patients, serve as liaison with providers and communicators, communicate any changes to staff, resolve issues with emergencies and respond in an efficient manner, serving as a main RN to oversee proper jobs and responsibilities that night. - Who takes over when you step out? <ul style="list-style-type: none"> - Answer: Since she knew she wouldn't be gone for more than ten minutes, no one really had to take over since they knew where to find her a few steps away. - Where do you step out? <ul style="list-style-type: none"> - Answer: It's within the ED for example the Lounge, Ambulance Bay, Conference Room, away from the nursing station but towards the backside. <p>- B. Santos will synthesize all information and bring the case to an action at the next meeting</p>			
7.	<p>GBNE-CO-20-003 B. Manzana Board member reporting is absent and cannot report.</p>		4:16	Tabled
8.	<p>GBNE-CO-20-004 E. Dames Nothing to report at this time</p>		4:16	Tabled
9.	<p>GBNE-CO-20-007/01-07 K. Hitois/B. Santos <ul style="list-style-type: none"> - For GBNE-CO-20-007/01-04: Nothing to report at this time. - For GBNE-CO-20-007/05: <ul style="list-style-type: none"> - This case is against RN Kimberlee Resurrection dated October 30, 2018. She was allegedly practicing outside the Standard of Care for Asher Labofsky, a 5-year-old male child, who was brought to the GMH Emergency Room by his father on October 30, 2018 at 11:30 am and was diagnosed with Febrile Illness, Viral Pneumonia, Bacteremia, rule out Dengue Fever. Patient was transferred to a regular room in the Pediatric Unit at approximately 3:04 pm. Over the course of the evening and the following morning, the patient's status deteriorated, and was unfortunately intubated. On October 31, 2018 at 7:01 am the patient unfortunately subsequently passed away. RN Resurrection was the Day-Shift ER RN, and provided care for the patient at the ED. When the patient was transferred to the Pediatric Unit, he was in stable condition </p>		4:30	007/01-04 Tabled 007/05 Dismissed

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	<p>as evidenced by documentation of the hospital records. During this investigation, there was no evidence that this RN practiced outside the Standard of Care.</p> <ul style="list-style-type: none"> - B. Santos and K. Hitois recommends dismissal of this case. - Motion to Dismiss 007/05: B. Santos 2nd C. Triguero 			
	<p>10. For GBNE-CO-20-007/06-07: Nothing to report at this time.</p> <p>11. GBNE-CO-20-008 B. Santos (formerly R. Sumaylo) *Reassign to B. Mamzana 5/18/21 Board member reporting is absent and cannot report.</p> <p>12. GBNE-CO-20-010 C. Tuquero Nothing to report at this time</p> <p>13. GBNE-CO-21-001 E. Dames Nothing to report at this time</p> <p>14. GBNE-CO-21-003 C. Tuquero *New Nothing to report at this time</p>		<p>4:45</p> <p>4:45</p> <p>4:45</p> <p>4:45</p>	<p>007/06-07 Tabled</p> <p>Tabled</p> <p>Tabled</p> <p>Tabled</p>
XII.	<p>A. GMTCC CNA Graduate. Howard Redila</p> <ul style="list-style-type: none"> - The Chairperson sent a summary to the GBNE Board members on this individual who had two hits on the Court Clearance, which were criminal sexual conduct and an assault. If the Board agrees, they can send an email request for more information regarding these two cases. - Asst AG Weinberg explains the criminal sexual conduct is that he was 30 and female was 16 at the time. The case was dismissed because the law on Guam says if they have a civil compromise outside of the case the court will allow the case to be dismissed. It cannot be brought again. However, the civil compromise details are missing. There may be a settlement type document that the GBNE should request. GBNE should have him defend himself at the next meeting. - The assault case involved three people with a different victim. The conviction was for misdemeanor assault with time served. He was supposed to testify against a third party. GBNE does not know the underlying facts about this case either. However, there is suspicion that alcohol and drugs were involved. That's the nature of the cases and Asst AG Weinberg recommends bringing him in and presenting the documentation. He was apparently not made to go to any rehab treatment. These are questions GBNE may want to ask him to defend himself. <p>Additionally, GBNE should ask if he is still interested in testing.</p> <p>B. GBNE Resolution 2021-01 EO to Review and Approve Renewal Applications</p> <ul style="list-style-type: none"> - The Chairwoman continues to work on this document. The straightforward message this document would present is that GBNE would like to authorize the GBNE EO to be able to review and approve renewal applications in cases where there are no new findings for example on their police and court clearances. - Asst AG Weinberg recommends adding more verbiage for outside of the context of the immediate need. He is thinking about the use of this by other Boards. The GBNE EO is specific to this Board but she wears different hats. Delegating in this context the authority to review and pass on renewal applications that don't present any red flags is important. However, the concern is that future Boards will question it. GBNE needs just enough details to present this as what is done here and nothing more. <p>The Chairwoman will draft a document within this week and send it to Asst AG Weinberg for review and additional legal verbiage.</p>		<p>4:56</p> <p>5:02</p>	<p>Tabled</p> <p>Tabled</p>

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	324. Visperas, Cherrie B. – RN 325. Vita, Jenesis J. – RN 326. Wong, Michelle D. – RN 327. Wood, Kathryn M. – RN 328. Yap, Aida Corell P. – RN 329. Zamora, Jocelyn L. – RN 330. Zantua, Arnel Jose D. – RN 331. Zantua, Mayette M. – RN Motion: <i>A. Varghese</i> 2nd <i>K. Hitosis</i>			Approved Approved Approved Approved Approved Approved Approved
XIV. ANNOUNCEMENTS	A. Next Meeting is Thursday, August 12, 2021, 3:00 PM B. Mandatory Ethics Training Reminder: Emails will be sent with more information. C. Annual SBN Meeting. GBNE members need to Register. It will be held from 3:00AM to 8:00AM August 12, 2021 Central Time.	GBNE HPLO	5:20	Noted
XV. ADJOURNMENT	Meeting Adjourned 5:23pm Motion to Adjourn: <i>K. Hitosis</i> 2 nd : <i>A. Varghese</i>	Chair	5:23	Adjourned

Reviewed by:  8/12/21 Approved by:  8/12/21
 Secretary / Date Chairperson / Date

Minutes by: FLAME TREE Freedom Center, Inc.