



Meeting Minutes – *Unapproved Draft; Pursuant to SDCL 1-27-1.17* November 16, 2023

Holiday Inn Express & Suites, 3821 W Avera Dr, Sioux Falls

All motions taken by roll call, unless otherwise stated.

- Call to Order:** President Carla Borchardt called the meeting to order at 9:00 A.M. Central.

Roll Call: Board Members Present: Carla Borchardt, Deborah Bowar, Denise Buchholz, Kristin Gabriel, Nathan Hinker, Christi Keffeler, Lois Tschetter, Jenna VandenBos. Present via Teleconference: Lori Koenecke (from 10:50 – 11:00 A.M.). Board Members Absent: Rebekah Cradduck.

Others Present:

Board Staff: Linda Young, Glenna Burg, Erin Matthies, Francie Miller, Lindsay Olson.

Legal Counsel: Megan Borchert, General Counsel to the Board; Shelly Munson, Board Prosecutor.

Guests: Terri Schildhauer, Court Reporter; Catherine Williamson, Administrative Law Judge (ALJ); Deborah Hickman, Sanford Health; Laura Dunn, Sinte Gleska University (SGU); Rhonda Jackman, SGU.

- Agenda Approval:** Motion by Tschetter to approve the November 16, 2023, agenda. Second by Gabriel. Motion carried.

Borchardt	Yes	Cradduck	Absent	Keffeler	Yes	VandenBos	Yes
Bowar	Yes	Gabriel	Yes	Koenecke	Absent		
Buchholz	Yes	Hinker	Yes	Tschetter	Yes	Votes: 8	

- Open Forum:** Borchardt provided the opportunity for guests to address the Board, no one requested to do so.

- Approval of Minutes:** Motion by Keffeler to approve the minutes of August 9, 2023, and October 10, 2023. Second by Tschetter. Motion carried.

Borchardt	Yes	Cradduck	Absent	Keffeler	Yes	VandenBos	Yes
Bowar	Yes	Gabriel	Yes	Koenecke	Absent		
Buchholz	Yes	Hinker	Yes	Tschetter	Yes	Votes: 8	

- Board of Nursing Officer Selection:** Motion by Tschetter to appoint officers for the term November 17, 2023, to November 2024, as follows, President: Carla Borchardt; Vice President: Christi Keffeler; Secretary: Jenna VandenBos. Second by Bowar. Motion carried.

Borchardt	Yes	Cradduck	Absent	Keffeler	Yes	VandenBos	Yes
Bowar	Yes	Gabriel	Yes	Koenecke	Absent		
Buchholz	Yes	Hinker	Yes	Tschetter	Yes	Votes: 8	

- Approval of Future Board of Nursing Meeting Dates:** Motion by Bowar to set the 2025 regularly scheduled board meeting dates as follows: Tuesday, February 4, 2025, Sioux Falls; Tuesday, May 6, 2025, Sioux Falls; Tuesday, August 5, 2025, Sioux Falls; and Wednesday, November 4, 2025, Sioux Falls. Second by Buchholz. Motion carried.

Borchardt	Yes	Cradduck	Absent	Keffeler	Yes	VandenBos	Yes
Bowar	Yes	Gabriel	Yes	Koenecke	Absent		
Buchholz	Yes	Hinker	Yes	Tschetter	Yes	Votes: 8	

Motion by Buchholz to meet on March 26th and 27th, 2024 to conduct hearings. Second by Tschetter. Motion carried.

Borchardt	Yes	Cradduck	Absent	Keffeler	Yes	VandenBos	Yes
Bowar	Yes	Gabriel	Yes	Koenecke	Absent		
Buchholz	Yes	Hinker	Yes	Tschetter	Yes	Votes: 8	

- Compliance:** the acronym “HPAP” represents “Health Professionals Assistance Program”.

- Formal Hearing:

- Victoria Running Hawk, applicant Z423539 for unlicensed medication aide, with ALJ Williamson presiding. Licensee served with notice. Licensee did not appear. Motion by Tschetter to deny registration of Victoria Running Hawk, Z423539. Second by Bowar. Motion carried.

Borchardt	Yes	Cradduck	Absent	Keffeler	Yes	VandenBos	Yes
Bowar	Yes	Gabriel	Yes	Koenecke	Absent		
Buchholz	Recuse	Hinker	Recuse	Tschetter	Yes	Votes: 6	

- Prescott St. John, applicant Z426465 for unlicensed medication aide, with ALJ Williamson presiding. Licensee served with notice. Licensee did not appear. Motion by Keffeler to deny registration of Prescott St. John, Z426465. Second by Gabriel. Motion carried.

Borchardt	Yes	Cradduck	Absent	Keffeler	Yes	VandenBos	Yes
Bowar	Yes	Gabriel	Yes	Koenecke	Absent		
Buchholz	Recuse	Hinker	Recuse	Tschetter	Yes	Votes: 6	

b. Compliance Committee Recommendations – Licensed: Miller submitted the following recommendations from the Compliance Committee:

- Settlement Offer – Mandated Participation in HPAP and Stayed Suspension: Case #1 Danyal Gower, SD R054408; Case #2 Brandon Haug, SD R039159; Case #3 Travis Krumenacker, SD R048790.
- Settlement Offer – Voluntary Surrender: Case #1 Bradley Larsen, SD R045494, CR000749.
- Settlement Offer – Letter of Concern: Case #1 AS; Case #2 MT; Case #3 JB; Case #4 MA; Case #5 MS; Case #6 KT; Case #7 DK; Case #8 KM; Case #9 KH.
- Settlement Offer – Letter of Reprimand: Case #1 Stacy Bissoon, SD R038505, CP002538.
- Settlement Offer – Letter of Reprimand on Privilege to Practice: Case #1 Jessica Bates, ND R34459.
- Settlement Offer – Letter of Reprimand with Remediation: Case #1 Samantha Haugen, SD P011836.

Motion by Keffeler to accept the recommendations of the Compliance Committee as presented and outlined in the Compliance Committee Recommendations document of licensed nurses. Second by Tschetter. Motion carried.

Borchardt	Yes	Cradduck	Absent	Keffeler	Yes	VandenBos	Yes
Bowar	Yes	Gabriel	Yes	Koenecke	Absent		
Buchholz	Recuse	Hinker	Recuse	Tschetter	Yes	Votes: 6	

c. Dismissal Reporting – Licensed: Miller presented a report of Investigative Dismissals, pursuant to SDCL 36-1C-4.

d. Compliance Committee Recommendations – Registrants: Miller submitted the following recommendations from the Compliance Committee:

- Settlement Offer – Denial of Registration: Case #1 Cassandra Carter, SD Unlicensed Medication Aide (UMA) Applicant, Z442430.
- Settlement Offer – Letter of Reprimand: Case #1 Amanda Albanese, SD M012208.
- Settlement Offer – Letter of Concern: Case #1 AH, Case #2 CA.

Motion by Gabriel to accept the recommendations of the Compliance Committee as presented and outlined in the Compliance Committee Recommendations for Registrants document. Second by Keffeler. Motion carried.

Borchardt	Yes	Cradduck	Absent	Keffeler	Yes	VandenBos	Yes
Bowar	Yes	Gabriel	Yes	Koenecke	Absent		
Buchholz	Recuse	Hinker	Recuse	Tschetter	Yes	Votes: 6	

e. Dismissal Reporting – Registrants: Miller reported there were no dismissals to report.

f. Additional Compliance Cases:

1. Miller presented background on Lundia Vankpana, SD P013075. Motion by Tschetter to amend the order for mandated completion of refresher course, for Lundia Vankpana, P013075, to include clinical site must be in South Dakota; clinical site must be a hospital, nursing home, surgery center or inpatient rehabilitation center; licensee must complete the refresher course within 12 months of receiving the Amended order. Second by Keffeler. Motion carried.

Borchardt	Yes	Cradduck	Absent	Keffeler	Yes	VandenBos	Yes
Bowar	Yes	Gabriel	Yes	Koenecke	Absent		
Buchholz	Yes	Hinker	Yes	Tschetter	Yes	Votes: 8	

2. Miller presented background on Jessica Bailey, AZ L053955. Motion by Tschetter to summarily suspend the privilege to practice of Jessica Bailey, AZ L053955. Second by Gabriel. Motion carried.

Borchardt	Yes	Cradduck	Absent	Keffeler	Yes	VandenBos	Yes
Bowar	Yes	Gabriel	Yes	Koenecke	Absent		
Buchholz	Recuse	Hinker	Recuse	Tschetter	Yes	Votes: 6	

3. Miller presented background on Jenny Loepp, SD R053968, CP001908. Motion by Hinker to summarily suspend the licenses of Jenny Loepp, SD R053968, , CP001908. Second by Tschetter. Motion carried.

Borchardt	Yes	Cradduck	Absent	Keffeler	Yes	VandenBos	Yes
Bowar	Yes	Gabriel	Yes	Koenecke	Absent		
Buchholz	Yes	Hinker	Yes	Tschetter	Yes	Votes: 8	

g. Licensee Correspondence: Miller provided a letter sent to the Board from an HPAP participant who was successfully discharged from the program.

8. **HPAP Quarterly Report:** Young presented the SDBON HPAP Quarterly Report; 76 participants were enrolled in October 2023 for monitoring of substance use or mental health related issues.

9. **Executive Session:** The Board did not close the meeting and did not move into executive session.

10. **Financial Report:** Matthies presented the SDBON FY24 income and expense statement for the period of July - October 2023. Motion by Bowar to approve the FY24 financial report as presented. Second by Gabriel. Motion carried.

Borchardt	Yes	Cradduck	Absent	Keffeler	Yes	VandenBos	Yes
Bowar	Yes	Gabriel	Yes	Koenecke	Absent		
Buchholz	Yes	Hinker	Yes	Tschetter	Yes	Votes: 8	

11. Licensure and Operations Report:

- a. Licensure & Registry Report: Matthies reported that as of November 2023, the Board had 19,867 licensed registered nurses, 2,742 licensed practical nurses, 56 certified nurse midwives, 2,288 certified nurse practitioners, 44 clinical nurse specialists, 538 certified registered nurse anesthetists, 11,026 registered certified nurse aides, and 5,259 unlicensed medication aides.
- b. Website Development: Young reported that staff continue to work with Albertson Consulting on the development of the new SDBON website.
- c. One Stop Building Move: Young reported that moving will result in an anticipated increase in rent of over 170% with significantly less office space and incurring additional moving expenses; the board also considered the loss of revenue as a result of additional states joining the Nurse Licensure Compact (NLC). They determined that moving to the new building is not fiscally viable. The Board’s operations are solely reliant on licensure fees and moving to the new building would likely require raising fees. Motion by Tschetter to not participate in the move to the Sioux Falls One Stop. Second by Gabriel. Motion carried.

Borchardt	Yes	Craddock	Absent	Keffeler	Yes	VandenBos	Yes
Bowar	Yes	Gabriel	Yes	Koenecke	Absent		
Buchholz	Yes	Hinker	Yes	Tschetter	Yes	Votes: 8	

12. Nursing Education:

- a. Nursing Education Committee (NEC) Recommendations: Burg submitted the following recommendations from the NEC:
 - 1. Grant approval of Western Dakota Technical College’s reorganization plan for the practical nurse (PN) program to add a site in Hot Springs;
 - 2. Grant approval of Mount Marty University’s MSN Advanced Practice Registered Nurse (APRN) curriculum changes;
 - 3. Grant acceptance of 2023 Clinical Enrichment Program (CEP) reports and reapproval of CEPs for 2024 for the following facilities:
 - a. Avera Heart Hospital of South Dakota
 - b. Avera McKennan Hospital
 - c. Avera Queen of Peace Hospital
 - d. Avera Sacred Heart Hospital
 - e. Avera St. Luke’s Hospital
 - f. Avera St. Mary’s Hospital
 - g. Black Hills Surgical Hospital
 - h. Brookings Health System
 - i. Correctional Health Services
 - j. Freeman Regional Health Services
 - k. Huron Regional Medical Center
 - l. Madison Regional Health System
 - m. Monument Health
 - n. Oyate Health Center
 - o. Sanford Health Center for Learning, Education and Development
 - p. SD Human Services Center
 - q. Sioux Falls Specialty Hospital
 - r. St. Michael’s Hospital
 - s. Yankton Medical Center;
 - 4. Grant approval of Sanford Health/University of Sioux Falls Nurse Internship Pilot for Accelerated Students;
 - 5. Grant approval to disburse funds for PN Nurse Education Assistance Scholarships;
 - 6. Informational Only - No Action Requested:
 - a. Oglala Lakota College’s notification of probation status by Commission for Nursing Education Accreditation (CNEA);
 - b. Southeast Technical College’s notification of PN program initial accreditation by Accreditation Commission for Education in Nursing (ACEN);
 - c. 2022-2023 Quarter 3 NCLEX pass rate comparison;
 - d. RN scholarship thank you notes.

Motion by Gabriel to accept the recommendations of the NEC as presented in the Education Consent Agenda, with the removal of item 1. Grant approval of Western Dakota Technical College’s reorganization plan for the PN program to add a site in Hot Springs. Second by Bowar. Motion carried.

Borchardt	Yes	Craddock	Absent	Keffeler	Recuse	VandenBos	Yes
Bowar	Yes	Gabriel	Yes	Koenecke	Absent		
Buchholz	Yes	Hinker	Yes	Tschetter	Recuse	Votes: 6	

Motion by Gabriel to grant approval of Western Dakota Technical College’s reorganization plan for the PN program to add a site in Hot Springs. Second by Bowar. Motion carried.

Borchardt	Yes	Craddock	Absent	Keffeler	Recuse	VandenBos	Yes
Bowar	Yes	Gabriel	Yes	Koenecke	Yes		
Buchholz	Recuse	Hinker	Yes	Tschetter	Recuse	Votes: 6	

- b. Sinte Gleska University (SGU) Quarterly Status Update Report: Burg presented the written quarterly status update report submitted by SGU. Motion by Tschetter to accept SGU’s quarterly status update report. Second by Keffeler. Motion carried.

Borchardt	Yes	Craddock	Absent	Keffeler	Yes	VandenBos	Yes
Bowar	Yes	Gabriel	Yes	Koenecke	Absent		
Buchholz	Yes	Hinker	Yes	Tschetter	Yes	Votes: 8	

- c. Clinical Enrichment Program Discussion: Burg presented a request from several South Dakota health care systems to revise the work experience requirement for Clinical Enrichment Program preceptors. Currently one year of experience is required. Members discussed the need to review and possibly revise the current rules in ARSD Chapter 20:48:07.01. Burg and Young will review and seek stakeholder input and update the Board at the February 2023 meeting.

13. Nursing Practice:

- a. Report: Olson provided an overview of the topics discussed during the SDBON APRN Advisory Committee Meeting held on August 25, 2023.

- b. Request to Modify Practice Guidelines:

1. Assignment and Supervision of Nursing Tasks by a Registered Nurse to a Medical Assistant: Olson presented a request from Monument Health to modify the Board’s current practice guidelines to include the National Healthcareer Association (NHA) as an approved certifying organization so they may continue to utilize their medical assistants who hold certification from NHA to the full extent of their education and training. Olson also provided the Board with information on the five previously accepted medical assistant certifying organizations that the SD Board of Medical & Osteopathic Examiners had accepted when registering medical assistants. Motion by Keffeler to approve the revised practice guidelines. Second by Hinker. Motion carried.

Borchardt	Yes	Craddock	Absent	Keffeler	Yes	VandenBos	Yes
Bowar	Yes	Gabriel	Yes	Koenecke	Absent		
Buchholz	Yes	Hinker	Yes	Tschetter	Yes	Votes: 8	

- ii. Elective IV Infusion and Medication Therapy Guidelines: Olson presented the request to modify the guidelines. The guidelines highlight applicable regulations and standards of care to adhere to for licensed nurses who want to provide and perform elective IV services in South Dakota. Olson presented information on proposed changes to the current guidelines including clarification of authorized medical provider, update LPN tasks pursuant to ARSD 20:48:04:06 and 20:48:04:07 to be consistent with recently adopted rules in Chapter 20:48:04, and update reference list and links. Motion by Tschetter to approve the revised practice guidelines. Second by Gabriel. Motion carried.

Borchardt	Yes	Craddock	Absent	Keffeler	Yes	VandenBos	Yes
Bowar	Yes	Gabriel	Yes	Koenecke	Absent		
Buchholz	Yes	Hinker	Yes	Tschetter	Yes	Votes: 8	

- iii. APRN Practice Guidelines: Olson presented information on the proposed revised guidelines. The revised document removes reference to the Licensure Accreditation Certification Education (LACE) national network statement titled, APRNs Changing a Population or Role. Discussion around the LACE statement was held with the Board’s APRN Advisory Committee in August. The national statement uses language suggestive of a mandate which has led to concerns expressed by nurse practitioners and employers who reference the Board’s guidelines. Hickman, a CNP practicing at Sanford Health, described the potential negative impact this national statement may have for nurse practitioners working in acute care settings and supported removal of the LACE statement reference in the Board’s APRN Practice Guidelines. Motion by Hinker to approve the revised practice guidelines as presented. Second by Tschetter. Motion carried.

Borchardt	Yes	Craddock	Absent	Keffeler	Yes	VandenBos	Yes
Bowar	Yes	Gabriel	Yes	Koenecke	Absent		
Buchholz	Yes	Hinker	Yes	Tschetter	Yes	Votes: 8	

14. **SD Center for Nursing Workforce (CNW) Report:** Olson provided an update on the activities of the CNW; planning is underway for the 2024 CNW Symposium on May 22, 2024, with the South Dakota Nurses Association and the Nursing Education Deans and Directors. More information will be shared at the Board’s February meeting.

- a. SDAHO Request for 2024 Nurse Leadership Program Support: Olson presented the proposed request for \$2,000 to support SDAHO’s 2024 Nurse Leadership Program. Motion by Tschetter to approve \$2000 to support the SDAHO 2024 Nursing Leadership Program paid through the CNW. Second by Keffeler. Motion carried.

Borchardt	Yes	Cradduck	Absent	Keffeler	Yes	VandenBos	Yes
Bowar	Yes	Gabriel	Yes	Koenecke	Absent		
Buchholz	Yes	Hinker	Yes	Tschetter	Yes	Votes: 8	

15. Policy:

- a. Delegation and Registration Rules Update: Young shared that the rules, ARSD 20:48:01 and 20:48:04, that were adopted by the Board on October 10, 2023; were presented to the Interim Rules Review Committee on November 7, 2023, and the Committee approved the rules. The new rules will be sent to the Secretary of State’s office for filing, once received, the rules will be provisionally effective in 20 days, early December 2023. Following the legislature’s formal approval during session in 2024, the rules will be finally effective on July 1, 2024. Information on the new rules are posted at <https://Rules.SD.gov>.
- b. Report: 2023 Legislative Taskforce: Study Committee on Sustainable Models for Long Term Care: Young provided an overview of the outcome of the taskforce. Several initiatives were approved by legislative taskforce members, including the adoption of licensing compacts and the APRN Compact.
- c. US Department of Justice, Veterans Auto and Education Improvement Act: Borchert provided an overview of the federal legislation that was adopted and became effective on January 5, 2023. The law allows servicemembers and their spouses to use their professional licenses and certificates when they relocate due to military orders. This law does not apply to nurses from NLC states.
- d. APRN Compact Legislation: Young shared that the Legislative Taskforce supported the adoption of the APRN Compact with the intention of introducing legislation in 2024. Motion by Buchholz to support legislation to adopt the APRN Compact. Second by Tschetter. Motion carried.

Borchardt	Yes	Cradduck	Absent	Keffeler	Yes	VandenBos	Yes
Bowar	Yes	Gabriel	Yes	Koenecke	Absent		
Buchholz	Yes	Hinker	Yes	Tschetter	Yes	Votes: 8	

16. Travel Requests: Motion by Bowar to approve travel requests as presented. Second by Buchholz. Motion carried.

- a. NLC Executive Committee Meeting: December 14-15, 2023; Chicago, IL (Up to 1)
- b. Art of Participatory Leadership Training: January 22-23, 2024; Bloomington, MN (Up to 1)
- c. NLC Administrators Meeting: March 11, 2024, Atlanta, GA (Up to 1)
- d. National Council of State Boards of Nursing (NCSBN) Midyear Meeting: March 12–14, 2024; Atlanta, GA (Up to 4)
- e. 2024 NCSBN IT Operations Conference: May 14-15, 2024; Salt Lake City, UT (Up to 2)
- f. NLC Executive Committee Meeting: May 20 – 21, 2024, Chicago, IL (Up to 1)
- g. National Forum of State Nursing Workforce Centers Annual Conference: June 17–19, 2024, San Diego, CA (Up to 2)
- h. NLC Administrators Meeting: August 27, 2024, Chicago, IL (Up to 1)
- i. NCSBN Annual Meeting: August 28 – 30, 2024, Chicago, IL (Up to 4)
- j. NLC Executive Committee Meeting: September 17 – 18, 2024, Greenville, SC (Up to 1).

Borchardt	Yes	Cradduck	Absent	Keffeler	Yes	VandenBos	Yes
Bowar	Yes	Gabriel	Yes	Koenecke	Absent		
Buchholz	Yes	Hinker	Yes	Tschetter	Yes	Votes: 8	

17. External Meeting Reports:

- a. NLC Administrator Annual Meeting & NCSBN Annual Meeting: August 15-18, 2023: Young attended and provided highlights of the meeting.

18. Announcements:

- a. Future Board Meetings: 2/6/2024; 5/7/2024; 8/6/2024; 11/6/2024.

19. Motion to adjourn by Gabriel. Second by Tschetter. Motion carried. Meeting adjourned at 1:40 P.M.

Borchardt	Yes	Cradduck	Absent	Keffeler	Yes	VandenBos	Yes
Bowar	Yes	Gabriel	Yes	Koenecke	Absent		
Buchholz	Yes	Hinker	Yes	Tschetter	Yes	Votes: 8	