

North Carolina Medical Board/North Carolina Board of Nursing
Nurse Practitioner Joint Subcommittee Meeting
January 18, 2012

Peggy Robinson, PA-C, Chair (NCMB); Mary Ann Fuchs, RN (NCBON); Daniel Hudgins (NCBON); William Walker, MD (NCMB); Cheryl Walker-McGill, MD (NCMB); and Nancy Bruton-Maree, RN (NCBON)

1. Call to Order
2. Ethics Awareness and Conflict of Interest Reminder
3. Introduction of members, staff and visitors
4. Approval of minutes of November 16, 2011
5. Additions to agenda
6. Old Business
 - a. Rule change – 21 NCAC 32M .0108 Inactive Status
 - i. Change in section (d) from five years to two years.
7. New Business
 - a. Report of any disciplinary actions, including Consent Agreements, taken by either Board since November 16, 2011
 - b. Compliance Review Report
8. Other Business
9. Next Meeting
 - a. May 16, 2012
10. CLOSED SESSION
 - a. Extracted Cases – discipline
 - i. NC Board of Nursing – 1 case
 - ii. NC Medical Board – 1 case
 - iii. Individual Situation arising from Compliance Reviews
11. OPEN SESSION
12. Adjournment

North Carolina Medical Board/North Carolina Board of Nursing
Nurse Practitioner Joint Subcommittee Meeting (4)

The Nurse Practitioner Joint Subcommittee (NPJS) was called to order at 12:54 pm November 16, 2011 at the office of the NC Board of Nursing. Members present were: Nancy Bruton-Maree, RN, Chair (NCBON); Peggy Robinson, PA-C (NCMB); Mary Ann Fuchs, RN (NCBON); Dan Hudgins (NCBON); William Walker, MD (NCMB); and Eleanor Greene, MD (NCMB). Also present was: Donna Mooney (NCBON); Julie George (NCBON); Marcus Jimison (NCMB); David Kalbacker (NCBON); Paulette Young (NCBON); Eileen Kugler (NCBON); Jack Nichols (NCBON); Jean Stanley (NCBON); and Quanta Williams (NCMB).

1. Approval of minutes of September 21, 2011 meeting
 - a. Motion: To approve the minutes of the September meeting as presented.
Passed.

2. Additions to agenda
 - a. NP Compliance Review (Old Business)

3. Old Business
 - a. NP Compliance Review
 - i. At the last meeting, it was recommended that if the Compliance Review Committee perceived any dishonesty or falsification of records during the process of a compliance review, that the review would be stopped at that time and referred for investigation. This has been added to the Compliance Review Protocols and submitted for the NPJS to review.

Motion: To approve the addition of number 7. Passed.

4. New Business
 - a. Report of any disciplinary actions, including Consent Agreements, taken by either Board since the last meeting
 - i. The Board of Nursing reported two public actions taken against a nurse practitioner since the last meeting.
 - ii. The Medical Board reported one public action taken against a nurse practitioner since the last meeting.

 - b. NP Rule Changes
 - i. .0801/.0101 (9). Motion: To approve the change. Passed
 - ii. .0801/.0101 (13). Motion: To accept the change. Passed.
 - iii. .0803/.0103 (a)(3). Motion: To approve the change. Passed.
 - iv. .0804/.0104 (b). Motion: To approve the change. Passed.
 - v. .0809/.0109 (7). Motion: To allow the attorneys to begin modification of the rule regarding controlled substance prescribing. The rule should also state that NPs cannot prescribe controlled substances for their supervising physicians. The motion was amended to include that the attorneys should strive to make the language consistent with the PA and MD rule. Passed.

5. Next Meeting

- a. January 18, 2012

6. CLOSED SESSION

a. Extracted Cases

- i. 2 cases – NC Board of Nursing
- ii. 1 cases – NC Medical Board
- iii. Request for reinstatement

7. OPEN SESSION

- a. Case 1 – Motion: Once documentation has been provided to show that the licensee has paid the fine and completed the required courses, allow reinstatement of NP approval under 2 year probation. Passed.
- b. Case 2 – Motion: Letter of Concern. Passed.
- c. Case 3 – Motion: Suspend the NP approval to practice for one year. Have her complete the Ethical Legal Decision Making Course with an emphasis on appropriate documentation and appropriate prescribing. Appear before the Joint Subcommittee in one year to request reinstatement of her approval to practice as a nurse practitioner. Passed.
- d. Case 4 – Motion: Obtain medical records; postpone decision until January meeting. Passed.
- e. Election of 2012 NPJS Chair
 - i. Motion: Peggy Robinson to serve as Chair of NPJS for 2012. Passed.

8. Adjournment

- a. Meeting was adjourned at 2:17 pm.

21 NCAC 32M .0108 INACTIVE STATUS

(a) Any nurse practitioner who wishes to place her or his approval to practice on an inactive status shall notify the Board of Nursing.

(b) A nurse practitioner with an inactive approval to practice status shall not practice as a nurse practitioner.

(c) A nurse practitioner with an inactive approval to practice status who reapplies for approval to practice shall meet the qualifications for approval to practice in Rules .0103(a)(1), .0104(a); .0106(b); .0107; and .0110 and (b)(1) of this Subchapter and receive notification from the Board of Nursing of approval prior to beginning practice after the application is approved by both Boards.

(d) A nurse practitioner with an inactive approval to practice status of greater than five two years shall complete a nurse practitioner refresher course approved by the Board of Nursing in accordance with Paragraphs (o) and (p) of 21 NCAC 36 .0220 and consisting of common conditions and their management directly related to the nurse practitioner's area of education and certification.

History Note: Authority G.S. 90-18(c)(14); 90-18.2; 90-171.36;

Eff. January 1, 1996;

Amended Eff. December 1, 2009; December 1, 2006; August 1, 2004; May 1, 1999.

Nurse Practitioner Compliance Review 2011 Summary

	1st Report 2011 09/21/11	2nd Report 2011 01/18/11	Total 2011
Total reviews	17	13	30
Site visits	1	3	4
Mail-ins	16	10	26
# Reviews in compliance	8	3	11 37%
# Reviews with discrepancies	9	10	19 63%
Categories of discrepancies			
Continuing education	6	5	11
Collaborative Practice Agreement	5	6	11
Quality Improvement Meetings	5	7	12
Additional documentation required	6	8	14
Revisit recommended	0	0	0
Revisits completed in 2011		1	1

Notes:

Two NPs were referred to investigative staff due to issues arising from compliance reviews.

Two changes occurred this year affecting the NP Compliance Review Program:

- 1) the number of items reviewed was reduced to three—continuing education, Collaborative Practice Agreement, and QI meetings, and
- 2) the NP Compliance Review Protocols were amended to allow for reviewers to refer cases to investigative staff if dishonesty or falsification of records is suspected.