

# Guam Board of Nurse Examiners

Thursday, August 15, 2024, at 3:00 PM

Join Zoom Meeting

<https://us06web.zoom.us/j/86769030597?pwd=ItXbXOEn0mamcGnyR2hl5RaohoFhF2.1>

Meeting ID: 867 6903 0597

Passcode: 803899

## 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 and Public Portal; August 1 and August 6 Proof of Notice of Adjournment; August 8	HPLO	1511	Confirmed	
III	Roll Call	<p><b>GBNE Members:</b> <i>Virtual Attendance:</i></p> <p><input checked="" type="checkbox"/> Greg Woodard, APRN-NPC, AOCNP, Chair  <input checked="" type="checkbox"/> Anna Varghese, RN, DNP, Secretary  <input checked="" type="checkbox"/> Charlotte Huntsman, GMRC, Public Member  <input type="checkbox"/> Philip John Calalo, DNP, RN, Vice Chair  <input type="checkbox"/> Brenda Manzana, LPN, Member  <input checked="" type="checkbox"/> Gia Ramos, RN, Treasurer  <input checked="" type="checkbox"/> Margarita Gay, Member</p>	<p><b>Other Attendees:</b> <i>Virtual Attendance:</i></p> <p>Zenia Pecina, HPLO, Administrator  Danilo Bilong, HPLO  Breanna Sablan, HPLO</p>	GBNE	1511	Quorum Established
IV	Adoption of the Agenda	<i>Motion to adopt: G. Woodard; 2<sup>nd</sup>: A. Varghese</i>	GBNE	1512	Unanimously Adopted	
V	Approval of Minutes	Minutes dated 07/11/2024. <i>Motion to approve: G. Woodard; 2<sup>nd</sup>; G. Ramos</i>	GBNE	1513	Unanimously Approved	
VI	Treasurer's Report	<p>G. Ramos presented the treasurer's report, indicating that the total expenditures for the past three years have remained relatively stable. In 2022, expenditures were \$110,883, which decreased to \$103,508 in 2023, with a projected further decrease to \$96,000 in 2024. On the revenue side, there was a significant increase of nearly 50% in 2023, but a notable shortfall in 2024, with a projected decrease of approximately 40%. As of June 2024, the revenue was only \$29,000, covering just 30% of the projected expenditures, raising concerns about the office operating at a loss unless additional income is generated in the remaining three months of the fiscal year. G. Ramos highlighted that, except for 2023, the office has been operating at a deficit and emphasized the importance of monitoring the impact of multi-state licensure on the revenue and expenditure balance.</p> <p>Z. Pecina clarified that the current decrease in revenue cannot be attributed to the multi-state licensure, as the implementation within the compact is not yet fully complete. She reminded the board that the noticeable increase in revenue last year was due to the biennial renewal of licensure, which naturally</p>	G. Ramos	1515	Noted	

Item		Discussion	Responsible Party	Reporting Timeframe	Status
		causes fluctuations in revenue. Z. Pecina emphasized the importance of considering these cyclical changes when adjusting rates. G. Ramos mentioned that a rate adjustment had already been submitted to which Pecina confirmed that it would be discussed further in the upcoming Rules and Regulations session.			
VII	Committee Reports	<p><b>Rules and Regulations (Proposed).</b>  G. Woodard reported that the Rules and Regulations have been updated and were distributed earlier in the month for review. He encouraged members to discuss any proposed changes they deemed appropriate or inappropriate, delegating further discussion to the designated Rules and Regulations representative.</p> <p>A. Varghese reported on the Rules and Regulations, noting that she thoroughly reviewed Standard Six, which focuses on education. She mentioned having addressed a few questions with Z. Pecina and highlighted the only implemented change: lowering the CNA passing score from 80 to 75, a modification previously agreed upon by the board and now included in the current draft. Beyond this, Varghese had no additional updates. G. Woodard added that he reviewed the APRN section and confirmed that most corrections from the 2018 law had been made. While acknowledging Z. Pecina’s observation about the redundancy in the document, he did not see any necessary changes from the APRN perspective.</p> <p>Z. Pecina expressed gratitude to the board members for their review of the Rules and Regulations. She emphasized the importance of continuing to review the document by the 21st, noting that she and D. Bilong had invested considerable effort into the revisions. Z. Pecina explained that they incorporated language from the National Model Practice Act to align the regulations with those of other states and highlighted that track changes would reveal the specific updates. Additionally, she mentioned that they drew on examples from other boards, particularly optometry and medical, to ensure consistency with national standards across various professions, including nursing, pharmacy, dental, and optometry. She urged the members to thoroughly review the changes to maintain alignment with best practices.</p> <p>The discussion addressed the duty to report, leading to refinements in the Rules and Regulations. The updated language now includes provisions from the National Licensure Compact (NLC) concerning fingerprinting, and an upcoming meeting with the chief of police is scheduled for the 26th to discuss obtaining their assistance with fingerprinting and criminal background checks in compliance with the law. Once this process is finalized, the NLC can be fully implemented. Additionally, Z. Pecina discussed the duties of the executive officer, including procedures for filling vacancies. If the government cannot fill vacancies within three months, the responsibility will default to the board. Language was also added concerning holdover, consecutive terms, temporary and emergency permits, and the immediate suspension of licenses, allowing for immediate suspension pending investigation. This language was derived from the National Model Practice Act, and members were encouraged to review these important updates.</p> <p>Z. Pecina added that the board also discussed provisions related to impaired physicians, stressing the</p>	GBNE	1519	Noted. Proposed Rules and Regulations Have Been Distributed for Review

Item		Discussion	Responsible Party	Reporting Timeframe	Status
		importance of reviewing this section and providing feedback if there are any disagreements, so changes can be made and included in the September agenda. G. Ramos inquired about the next steps after approval, to which Pecina explained that the Rules and Regulations would then be sent to the Attorney General's office for review, followed by the Governor's review, and finally to the legislature for a public hearing.			
VIII	Nursing Education	<p><b>A. BSN Annual Report – UOG</b></p> <p>Z. Pecina pointed out that the board has not received payments from the schools, which is a significant issue. She emphasized the responsibility of the treasurer, G. Ramos, to ensure that these payments are collected, as they are required for both initial and final approvals based on the board's Rules and Regulations. Z. Pecina highlighted that none of the schools have paid their dues, despite having waived fees in 2020, 2021, 2022, and the beginning of 2023 due to COVID-19. She noted that there is an outstanding balance for the full approval that remains unpaid and suggested that the board may need to issue a bill to prompt payment from UOG. G. Ramos proposed that, on an annual basis, the submission of the BSN and LPN programs' annual reports should be accompanied by a check payment for the review fees, which currently amount to \$400.</p> <p><i>Motion to Conditionally Approve Pending Submission of Annual Fees: G. Woodard; 2<sup>nd</sup>: G. Ramos</i></p>	A. Varghese	1518	Unanimously Conditionally Approved Pending Submission of Annual Fees
		<p><b>B. LPN Annual Report – GCC</b></p> <p>A. Varghese recommended the approval of the LPN program's annual report from GCC, noting that the program had received initial approval from GBNE and had demonstrated compliance with all standards in its report. Given that more than two years had passed, A. Varghese suggested it was time to grant full approval. G. Woodard made a motion to conditionally approve the program pending the submission of the required annual fees, which was seconded by G. Ramos.</p> <p><i>Motion to Conditionally Approve Pending Submission of Annual Fees: G. Woodard; 2<sup>nd</sup>: G. Ramos.</i></p>	A. Varghese		Unanimously Conditionally Approved Pending Submission of Annual Fees
IX	Administrator's Report	<p>Z. Pecina provided the administrative report, noting that the Rules and Regulations and upcoming events had already been discussed. She highlighted the annual conference in Chicago, scheduled for August 28th to 30th, where she will be accompanied by three board members. Additionally, she mentioned the Leadership of Public Policy event in Virginia, set for October 9th to 11th, suggesting that M. Gay might attend.</p> <p>Z. Pecina informed the board about a grant opportunity with NCSBN for up to \$300,000. She and D. Bilong are currently reviewing the details, and if deemed appropriate for the board, they plan to write a proposal. Z. Pecina mentioned that she has some ideas on how to make the grant work and hopes to present the plan in September. She explained that the grant likely spans five years, as it involves research, and will require both implementation and ongoing follow-up.</p> <p>Z. Pecina provided an update regarding the FBI and the NLC law, which was passed several years ago. The law designates the GPD as the entity responsible for fingerprinting constituents, with the fingerprints being sent to the FBI. The FBI would then return the reports to GPD, which would, in turn, provide the results to the board. Z. Pecina mentioned that they had an initial meeting with Chief Ignacio and have a</p>	Z. Pecina	1525	Noted

Item	Discussion	Responsible Party	Reporting Timeframe	Status
	<p>follow-up meeting scheduled for the 26th. She expressed hope that this upcoming meeting would be the final step needed to fully meet the requirements of the NLC and allow for its complete implementation.</p>			
	<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>  Z. Pecina addressed the GBNE complaints, specifically case GBNE-CO-20-007/1, 2, 3, 4, 6 &amp; 7, received on September 16, 2020. She stated that the board intends to refer the case to an outside consultant, an expert in nursing. All necessary paperwork has been completed and has moved from public health to GSA. The board is currently awaiting approval from GSA, including a purchase order. Once the purchase order is received, the expert nursing consultant will review the case, with the hope of reaching a resolution in the near future.</p>	G Woodard		Sent to Expert Consultant, Awaiting Purchase Order
	<p><b>2. GBNE-CO-23-001. Received 4/3/23.</b>  Z. Pecina discussed case GBNE-CO-23-001, received on April 3, 2023, noting that it had been referred to the Office of the Attorney General (OAG). Z. Pecina stated that she would follow up with the OAG to obtain any updates on the case.</p>	P. Calalo		Case Sent to OAG Awaiting Update
	<p><b>B. Out of State Nursing Schools</b>  Z. Pecina addressed the topic of out-of-state nursing schools, mentioning that the board has received inquiries from several schools seeking information about the requirements for getting their graduates or students to take exams in Guam. Pecina expressed concern that while some of these inquiries may be legitimate, others might not be, referencing past issues in Florida and Maryland where fraudulent schools emerged without proper regulation. These schools sent students to take exams in various states without anyone verifying their curriculum, leading to the issuance of fraudulent licenses. She suggested that the board consider regulating out-of-state nursing schools as part of the ongoing amendments to the Rules and Regulations, emphasizing the importance of preventing similar issues in Guam.</p> <p>A. Varghese agreed with the idea of including regulations for out-of-state and out-of-country nursing schools in the Rules and Regulations, citing the increasing number of fraudulent cases reported in the news. Z. Pecina added that the board would also align with NCSBN's Model Practice Act concerning endorsements, reinstatements, and renewals. G. Ramos suggested implementing a checklist to verify that schools meet the minimum educational criteria, acknowledging the challenge of validating foreign schools that lack NLN accreditation or similar accreditation to confirm their legitimacy.</p> <p>A. Varghese noted that World Education Services (WES) and the Commission on Graduates of Foreign Nursing Schools (CGFNS) are responsible for validating transcripts and assessing foreign nursing schools. She highlighted that these organizations help ensure that foreign educational programs meet necessary standards, although issues have arisen in the past with incomplete curricula, such as missing courses in mental health or obstetrics and gynecology. A. Varghese emphasized that while WES and CGFNS are effective for foreign schools, there may be uncertainty</p>	GBNE		Noted, ADN Program Not Approved, Pending More Information on the Program.

Item		Discussion	Responsible Party	Reporting Timeframe	Status
		<p>about their role in validating out-of-state nursing schools. She suggested that establishing clear written guidelines and seeking guidance from NCSBN would be beneficial for addressing these concerns.</p> <p>Z. Pecina addressed the issue of fraudulent schools, noting that some institutions had documented theory hours accurately but reported fraudulent or non-existent clinical hours. She mentioned receiving numerous requests from mainland schools asking for their students to complete clinical observations in Guam. Z. Pecina questioned whether such observations would meet curriculum requirements. A. Varghese responded by clarifying that observation or shadowing does not count as clinical experience under the curriculum. She emphasized that clinical experiences must involve hands-on training and adhere to specific guidelines regarding clinical faculty credentials and other standards outlined in the rules and regulations.</p> <p>Z. Pecina emphasized the importance of policing the clinical experience requirements for nursing schools, especially when students from out-of-state schools come to Guam for clinicals. She noted that if these students are only participating in observation-based clinicals, their home state might inaccurately report that all clinical hours were completed. This lack of transparency could prevent the board from knowing whether the clinical experience met the necessary standards. Pecina mentioned that they had already received two inquiries from other hospitals about hosting nursing students for clinicals, which seemed suspicious. Consequently, they reached out to the executive officer in the state of origin, who shared concerns about the necessity of sending students from Florida to Guam for clinicals.</p> <p>A. Varghese reported on the Associate Degree Nursing (ADN) site visit conducted for GCC, which took place on July 25th. A review team of four members assessed GCC's application for the new RN program, including their curriculum and proposal, before making the site visit. Based on their findings and recommendations, A. Varghese recommended granting GCC initial approval to start the ADN program. Z. Pecina raised a concern about not receiving a response letter from GCC regarding the list of faculty and their teaching percentages, which was a major requirement. She noted that it is essential to have this information before the program can start. A. Varghese agreed, stating that the initial approval cannot be granted until GCC provides a response to the recommendations and the requested information about faculty.</p>			
		<b>C. CNA – UOG</b> No Report	GBNE		No Report
<b>X</b>	<b>New Business</b>	<b>A. Initial Application</b>		1556	
		<b>1. Ashley Sablan, CAN</b> D. Bilong reported that although military citations were noted, both court and police clearances were satisfactory. However, there was a disclosure related to the individual's military service. G. Woodard responded by stating that a clean military record is not a	GBNE		Unanimously Approved

Item		Discussion	Responsible Party	Reporting Timeframe	Status
		requirement for obtaining a CNA license according to the board's rules and regulations. <i>Motion to Approve: G. Woodard; 2<sup>nd</sup>: A. Varghese</i>			
		<b>B. Reinstatement Application</b>			
		<b>1. Maravic Frasco, RN</b> Z. Pecina pointed out that, during the previous meeting, a motion was made to reinstate Maravic Frasco, RN, but no application for reinstatement was submitted at that time. She suggested withdrawing the previous motion and making a new motion for reinstatement now that the application has been received. <i>Motion to Retract Motion from Previous Meeting: G. Woodard; 2<sup>nd</sup>: C. Huntsman</i> <i>Motion to Approve Reinstatement Application; G. Woodard; 2<sup>nd</sup>: G. Ramos</i>	GBNE		Motion from Previous Meeting was Retracted. Board Unanimously Approved Reinstatement Application
<b>XI</b>	<b>Announcements</b>	Next Meeting will be September 12, 2024, at 3PM	GBNE	1602	Set Meeting Date
<b>XII</b>	<b>Adjournment</b>	<i>Motion to Adjourn: G. Woodard; 2<sup>nd</sup>: G. Ramos</i>	GBNE	1604	Adjourned

Minutes Drafted by: FLAME TREE Freedom Center, Inc.

Date Submitted:

Submitted by the GBNE Secretary:

Date:

Approved by the GBNE with or without changes:

Date:

Certified by or Attested by the Chairperson:

 . APNW-NPC, AOCNF

Date: 9/12/24