

## **Nursing Practice Advisory Committee (NPAC) Report**

### **Summary of Request:**

To review the Nursing Practice Advisory Committee's recommendations regarding the proposed amendments to the Minor Incident Rule 217.16.

### **Historical Perspective:**

In October 2005, the Board charged the Nursing Practice Advisory Committee with the revision of the Minor Incident Rule 217.16. The NPAC met on Friday, November 18, 2005, with follow-up input on revisions via e-mail from the committee.

NPAC voted on substantive revisions to the Minor Incident Rule 217.16 and will be presented and discussed under agenda item 7.2.3, attachment 1 and 2. Proposed revisions include:

- A definition of a minor incident.
- Conduct outside the parameters of a minor incident that should be reported.
- Criteria for determining if a minor incident is Board reportable.
- The evaluation of multiple incidents.
- The nurse manager's role in the evaluation of minor incidents.
- Recommendation to increase the threshold from three to five minor incidents accumulated in a 12 month period before reporting the nurse to the peer review committee.
- Considerations when evaluating a minor incident.
- Documentation of a minor incident.

**Pros & Cons:** See agenda item 7.2.3 for pros and cons of proposed revisions to Minor Incident Rule 217.16.

### **Recommendations:**

No Board action on this agenda item; please see agenda item 7.2.3.

Attachment 1

**Nursing Practice Advisory Committee (NPAC)  
Board of Nurse Examiners for the State of Texas  
Austin, TX**

**Minutes: Friday, November 18, 2005**

**Meeting Time: 9:00AM-3:00PM**

**Place: 333 Guadalupe, Tower 1, Rm 1264**

**Members Present:**

Gie Archer, Texas Association of Vocational Nurse Examiners (TAVNE)  
Pamela Burke, Texas School Nurse Organization (TSNO)  
Virginia Campbell, NPAC Co-chair, BNE Board Member  
Cheryl Danielson, Department of Aging and Disability Services, (DADS)  
Thelma Davis, Licensed Vocational Nurses Association of Texas, (LVNAT)  
Rachel Hammon, Texas Association for Home Care (TAHC)  
Laura Miller, Texas Organization of Nurse Executives (TONE)  
Sandra Kay Oliver, Texas Nurses Association, (TNA)  
Cheryl Waters, Texas Association of Homes and Services for the Aging (TAHSA)

**Guests Present:**

Jim Wilmann, Texas Nurses Association (TNA)

**BNE Staff Present:**

Dusty Johnston, General Counsel  
Carol Marshall, Lead Nursing Consultant for Practice  
Adam Rappold, Administrative Assistant  
Melinda Hester, Nursing Consultant for Practice

**Members Absent:**

Paula Backus, Texas Department of Human Services, Long Term Care Regulatory  
Pam Brashears, Texas League for Vocational Nurses, (TLVN)  
Linda Hinshaw, Texas Dept. of Mental Health and Mental Retardation (MHMR)  
Leslie Mansolo, Texas Dept. of State Health Services (DSHS)  
Beverley Nutall, NPAC Co-chair, BNE Board Member  
Frances Ray, Licensed Vocational Nurses Association of Texas, (LVNAT)

Recorded by Melinda Hester

Approval date:

Agenda Item	Discussion	Action
Call to order	Roll call and introductions made. A quorum was established. Reviewed newly approved Policy on Advisory Committees and Task Forces and ground rules for NPAC. Those present were asked to fill our a new biographical information sheet so records could be updated.	Meeting called to order at 9:07 AM by Virginia Campbell NPAC Co-chair. Roll call/introductions.
Review and Approval of Minutes	No previous minutes.	
Update on Practice Issues	None	
Old Business	None	
New Business	<p>Reviewed charge from October 2005 Board Meeting to revise the Minor Incident Rule 217.16 and the interpretive guideline in response to SB 1000. A draft document compiled by TNA and their Governmental Affairs Committee (GAC) was offered as a starting point for discussions. (See attachment 1)</p> <p>Section (a) Purpose. Section (b) Definition and Scope.</p> <p>Discussion of Draft Section (c) Exclusions.  Committee decided to list references to Statute and Rule vs specifics.  [Note: See attachment #2 for NPAC revisions to draft language]</p>	<p>Committee agreed to use draft as a starting point for discussions.</p> <p>Agreed to wording in (a) Purpose and (b) Definition and Scope.</p> <p>R. Hammond motioned to amend section ( c ) and L. Miller second. Motion carried</p>

	<p>Discussed Section (d) Criteria for Determining If Minor Incident Is Board Reportable through Section (f) Documentation of Minor Incidents and decided to add topic headings and number information for clarity.</p>	<p>C. Danielson motioned to approve amended section (d) and G. Archer second. Motion carried.</p> <p>S. Oliver motioned to approve amended section (e) and P. Burke second. Motion carried.</p> <p>S. Oliver motioned to approve section (f) and P. Burke second. Motion carried.</p>
	<p>Section (g) Nursing Peer Review Committee. Draft language introduced a new concept of allowing a facility to have an informal process of review that will be less cumbersome and adversarial than peer review; this informal group would then report its findings to the full peer review committee. If a determination were made by the informal group that the nurse should be reported, the nurse would then have full due process rights with peer review.</p>	<p>G. Archer motioned to approve amended section (g) and P. Burke second. Motion carried.</p>
	<p>Section (h) Right to Report Not Affected. Discussed changing title for clarity.</p>	<p>S. Oliver motioned to approve amended section (h) as listed and P. Burke second. Motion carried.</p>
	<p>Section (I) Bad Faith Determination. No changes.</p>	<p>P. Burke motioned to approve section and S. Oliver second. Motion carried.</p>
	<p>Section (j) Chief Nursing Officers Responsibility. No changes.</p>	<p>L. Miller motioned to approve section and P. Burke second. Motion carried.</p>

	<p>Discussed sending revisions to NPAC via e-mail and if any substantive changes are made, the chair-person may reconvene the committee.</p> <p>Discussion to submit the final Minor Rule Revision to the Board in January 2006.</p>	<p>G. Archer motioned to send revisions to NPAC and chair-person may reconvene committee. Thelma Davis second. Motion carried.</p> <p>S. Oliver motioned to submit the final Minor Rule Revision to the Board in January 2006 and P. Burke second. Motion carried.</p>
Handouts	<p>Attachment #1 Initial Draft Language</p> <p>Attachment #2 Working Draft Revised by NPAC during meeting</p>	
Future Meeting Date	.	No meeting scheduled.
Adjournment		Adjourned at 11:33pm. Lunched together.