

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

**Summary of Request:**

To review the Nursing Practice Advisory Committee's recommendations regarding the proposed revisions to rule 217.16, Minor Incidents.

**Historical Perspective:**

As a result of the 80<sup>th</sup> Legislative Session and the passage of Senate Bill 993, and the subsequent changes to the peer review rules, the Board charged NPAC, during the January 2008 meeting, to review and recommend revisions to rule 217.16 relating to minor incidents.

**Pros & Cons:**

See agenda item # 7.6 for pros and cons regarding NPAC's proposed revisions to rule 217.16, Minor Incidents.

**Recommendations:**

This item is informational only. No Board action on this agenda item; please see agenda item # 7.6.

**NURSING PRACTICE ADVISORY COMMITTEE**

**TEXAS BOARD OF NURSING  
AUSTIN, TEXAS**

**MINUTES**

Friday, September 5, 2008  
9:00 – 3:30  
333 Guadalupe, Tower 3, Room 102  
Austin, Texas

**Members Present**

Gie Archer, RN, MSN, WHNP  
Pam Brashears, LVN  
John Crossley, PhD, RN, CNAA  
Thelma Davis  
Susan Syler (Proxy  
for Michelle Dionne-Vahalik, RN, MSN)  
Kathryn Griffith (Proxy  
for Jay Norwood, MSN, RN)

Rachel Hammon, BSN, RN  
Cathy Harris

Rose Ireland, RN, C, BSN  
Laura Miller, MSN, RN  
Elizabeth Sjoberg, RN, JD

**Board Member Liaisons**

George Buchenau, Jr., BSN, RN,  
MBA

**Absent**

Michelle Dionne-Vahalik, RN, MSN  
Jay Norwood, MSN, RN  
Beverly Nutall, LVN  
Stephanie Wood, JD, RN

**Staff**

Denise Benbow, MSN, RN  
\*Dusty Johnston, JD  
Mary Beth Thomas, PhD, RN  
Kim Williamson, RN

**Guests**

Ruthie Benson  
Bob Johnson  
Jim Willmann  
Cindy Zolnierek

**Organization/Representation**

Texas Association of Vocational Nurse Educators  
Texas League for Vocational Nurses  
Texas Nurses Association  
Licensed Vocational Nurses Association of Texas  
Texas Department of Aging and Disability Services

Texas Department of State Health Services

Texas Association of Home Care  
Texas School Nurse Organization  
TX Association of Homes and Services for the Aging  
Texas Organization of Nurse Executives  
Texas Hospital Association

Texas Board of Nursing

Texas Department of Aging and Disability Services  
Texas Department of State Health Services  
Texas Board of Nursing  
Texas Health and Human Services Commission

TX Board of Nursing - Practice Consultant  
TX Board of Nursing - General Counsel  
TX Board of Nursing - Director of Nursing/Practice  
TX Board of Nursing - Practice Consultant

Texas Department of Aging and Disability Services  
Texas Department of Aging and Disability Services  
Texas Nurses Association  
Texas Nurses Association

Recorded by Denise Benbow  
\*Present for portions of the meeting

## **I. Call to Order**

The meeting was called to order by Chair, John Crossley. Members and other attendees introduced themselves. A quorum was established.

## **II. Review/Revision of Minor Incident Rule 217.16**

The discussion began on proposed revisions of rule 217.16 Minor Incidents by focusing on the legislative changes resulting from the last legislative session that bring focus to systems issues, system errors and the risk to the public. There was also discussion on the focus of the rule and defining what is a minor incident rather than what is deemed to be a minor incident.

In looking at recommended rule changes in relation to patient death, and board review versus Peer Review there was discussion about focusing on managing by data rather than by intuition. Also discussion in relation to patient death and the comfort level of the public if just a Peer Review Committee examines the situation. There was further discussion about investigation, Peer Review, Board investigation.

There was discussion on moving a section in the rule to improve the flow of the rule. Further discussion centered on the nurse leaving employment post Peer Review and assurance of patient safety.

Rachel Hammon, representing TAHC, asked that when a nurse changes employers post peer review, while in the remediation process, that the nurse's written consent be obtained when a report is being sent to a peer review committee of a new employer.

Laura Miller made a motion to approve all changes proposed to rule 217.16 with the exception of #4 [section (g) 5 in proposed rule] which will be up for discussion, seconded by John Crossley.

Further discussion on the remaining section, and wording of same. Rose Ireland made a motion to approve section 4 [section (g) 5 in proposed rule] and the motion was seconded.

### **III. Adjournment**

The meeting was adjourned.

Motion approved unanimously.

Motion approved unanimously.