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 80th 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.
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

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

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

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

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

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

Guests
Ruthie Benson
Bob Johnson
Jim Willmann
Cindy Zolnierek

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 a 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.