

The Georgia Board of Nursing met September 19-21, 2007 at the Professional Licensing Boards Division, in Conference Room 104, 237 Coliseum Drive, Macon, Georgia 31217.

WEDNESDAY, SEPTEMBER 19, 2007

MEMBERS PRESENT

Linda Herren, RN, CRNA, President
Susan Ayers, RN, BSN, MPH
Delynn Keeton, RN, MN, CPHRM
Scott Thigpen, RN, MSN, CEN, CCRN
Toni Barnett, RN, Ph.D., FNP-C
Karen K. Wessinger, BSHE, Vice President
Kellie R. Lockwood, RN, MSN

MEMBERS ABSENT

Linda Easterly, RN, BSN, MSA, MS, COHN-S

STAFF PRESENT

Sandy Bond, RN, MSN, MBA, Executive Director
Deborah Beard, Compliance Manager
Gwen Dodson, Administrative Assistant
Adrienne Price, RN, MSN, Nursing Consultant – Legal/Discipline
Julia Gould, RN, MS, Nursing Consultant – Education
Katrina Martin, RN, BSN, COHN-S, Nursing Consultant–Practice
Janet Jackson, JD, Assistant Attorney General
Meredith Kendall – Staff Attorney – Legal Services
Sonya Williams – Staff Attorney-Legal Services
Julie Fisher – Staff Attorney-Legal Services

VISITORS PRESENT (During Executive Session, visitors are excused unless scheduled for personal appearance)

Marie Russell	<i>Emory University</i>	Marsha McKenna	<i>Ethicon Endo – Surgery, Inc.</i>
Susan Ekert	<i>Emory University</i>	Keith Denning	<i>Ethicon Endo – Surgery, Inc.</i>
Lynn Bahnsen	<i>Johnson & Johnson</i>		

PERSONAL APPEARANCES PRESENT

DH-RNI070324	Personal Appearance
BG-RNI070328	Personal Appearance
MS	Personal Appearance

Mrs. Wessinger called the meeting to order at 10:15 a.m. on Wednesday, September 19, 2007. A quorum to conduct disciplinary matters was determined to exist.

Mrs. Keeton moved, Mr. Thigpen seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. §§ 43-1-2(k), 43-1-19(h), 43-26-5(c) and 43-26-11, *to deliberate on applications and enforcement matters and to receive information on applications, investigative reports, and pending cases.* The motion passed unanimously. Those who voted to enter into Executive Session: Mrs. Ayers, Mrs. Lockwood and Dr. Barnett.

At the conclusion of Executive Session on Wednesday, September 19, 2007 Mrs. Wessinger declared the meeting to be "Open" pursuant to the Open and Public Meetings Act, O.C.G.A. 50-14-1-et.seq.

PETITION FOR RULE VARIANCE – O.C.G.A. § 50-13-9.1

Foster, Jennifer – Mr. Thigpen moved that Mrs. Foster's Post Graduate certificate in Mid-wifery gained in September 1982 is equivalent to a graduate degree in nursing which meets requirements in Rule 410-12-.02 (b). Dr. Barnett seconded the motion and it carried unanimously.

INVESTIGATIVE REPORTS

(RNI=Registered Nurse Investigative Case Number)

RNI050115 - Mrs. Keeton moved to order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant board member and the Legal/Discipline Nursing Consultant. If warranted, refer to the Attorney General's Office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, proceed with licensure and close the case. Dr. Barnett seconded the motion and it carried unanimously.

RNI050330 – Mr. Thigpen moved to close the case. Mrs. Ayers seconded the motion and it carried unanimously.

RNI060153 – Dr. Barnett moved to refer to the Attorney General's Office for a Hearing or a Private Consent Order to include probation for (4) four years, substance abuse stipulations, narcotic restrictions, and quarterly reports. Mr. Thigpen seconded the motion and it carried unanimously.

RNI060219 – Mr. Thigpen moved to order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant board member and the Legal/Discipline Nursing Consultant. If warranted, refer to the Attorney General's Office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, proceed with licensure and close the case. Mrs. Keeton seconded the motion and it carried unanimously.

RNI060221 – Dr. Barnett moved to order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant board member and the Legal/Discipline Nursing Consultant. If warranted, refer to the Attorney General's Office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, proceed with licensure and close the case. Mrs. Lockwood seconded the motion and it carried unanimously.

RNI060484 – Mr. Thigpen moved to order licensee to have an Expedited Outpatient MPE. Results are to be reviewed by the Cognizant board member and the Legal/Discipline Nursing Consultant. If warranted, refer to the Attorney General's Office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, proceed with licensure and close the case. Dr. Barnett seconded the motion and it carried unanimously.

RNI060372 – Mrs. Ayers moved to close the case. Mrs. Lockwood seconded the motion and it carried unanimously.

RNI060381 – Mrs. Keeton moved to order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant board member and the Legal/Discipline Nursing Consultant. If warranted, refer to the Attorney General's Office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, proceed with licensure and close the case. Mr. Thigpen seconded the motion and it carried unanimously.

RNI060420 – Mrs. Keeton moved to order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant board member and the Legal/Discipline Nursing Consultant. If warranted, refer to the Attorney General's Office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, proceed with licensure and close the case. Mr. Thigpen seconded the motion and it carried unanimously.

RNI060471 – Mrs. Lockwood moved to close the case with no action. Dr. Barnett seconded the motion and it carried unanimously.

RNI060473 – Dr. Barnett moved to order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant board member and the Legal/Discipline Nursing Consultant. If warranted, refer to the Attorney General's Office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, proceed with licensure and close the case. Mrs. Ayers seconded the motion and it carried unanimously.

RNI060483 – Mrs. Ayers moved to refer to the Attorney General's Office for a Hearing or a Private Consent Order to include (4) four years probation, substance abuse stipulations, narcotic restrictions and quarterly reports. Mrs. Lockwood seconded the motion and it carried unanimously.

RNI060496 – Mrs. Keeton moved to close the case in Investigations. Mrs. Ayers seconded the motion and it carried unanimously.

RNI060616– Mrs. Ayers moved to order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant board member and the Legal/Discipline Consultant. If warranted, refer to the Attorney General's Office for a hearing or consent order utilizing evaluation results and/or recommendations. Dr. Barnett seconded the motion and it carried unanimously.

RNI060632– Mrs. Lockwood moved to refer to the Attorney General's Office for a Hearing or a Public Consent Order to include four (4) years probation, minimum of three (3) months suspension and have a MPE reviewed by the Cognizant Board Member before suspension may be lifted. Mrs. Ayers seconded the motion and it carried unanimously.

RNI060641 – Dr. Barnett moved to close the case. Mrs. Keeton seconded the motion and it carried unanimously.

RNI070011 – Mr. Thigpen moved to refer to the Attorney General's Office for a Hearing or Private Consent Order to include four (4) years probation, substance abuse stipulations, narcotic restrictions and quarterly reports. Mrs. Lockwood seconded the motion and it carried unanimously.

RNI070101 – Mrs. Keeton moved to refer to the Attorney General's Office for a Hearing or a Public Consent Order to include a three (3) month suspension for felony drug conviction, probation for four (4) years, substance abuse stipulations, narcotic restrictions and quarterly reports. Dr. Barnett seconded the motion and carried unanimously.

RNI070120 – Mr. Thigpen moved to order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant board member and the Legal/Discipline Nursing Consultant. If warranted, refer to the Attorney General's Office for a hearing or consent order utilizing evaluation results and/or recommendations. Mrs. Lockwood seconded the motion and it carried unanimously.

RNI070136 – Dr. Barnett moved to order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant board member and the Legal/Discipline Nursing Consultant. If warranted, refer to the Attorney General's Office for a hearing or consent order utilizing evaluation results and/or recommendations. Mrs. Ayers seconded the motion and it carried unanimously.

RNI070146 – Mr. Thigpen moved to close the case. Mrs. Keeton seconded the motion and it carried unanimously.

RNI070147 – Mrs. Ayers moved to order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant board member and the Legal/Discipline Nursing Consultant. If warranted, refer to the Attorney General's Office for a hearing or consent order utilizing evaluation results and/or recommendations. Dr. Barnett seconded the motion and it carried unanimously.

RNI070148 – Mrs. Lockwood moved to order licensee to have an Expedited Outpatient MPE. Results are to be reviewed by the Cognizant board member and the Legal/Discipline Nursing Consultant. If warranted, refer to the Attorney General's Office for a hearing or consent order utilizing evaluation results and/or recommendations. Mrs. Keeton seconded the motion and it carried unanimously.

RNI070149 – Mrs. Keeton moved to close the case. Dr. Barnett seconded the motion and it carried unanimously.

RNI040150 – Mrs. Ayers moved to refer to the Attorney General's Office for Indefinite Suspension or a Voluntary Surrender. RN may reapply after one (1) year of documented sobriety. Mr. Thigpen seconded the motion and it carried unanimously.

RNI070238 – Dr. Barnett moved to order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant board member and the Legal/Discipline Nursing Consultant. If warranted, refer to the Attorney General's Office for a hearing or consent order utilizing evaluation results and/or recommendations. Mrs. Keeton seconded the motion and it carried unanimously.

RNI070239 – Mrs. Lockwood moved to refer to the Attorney General's Office for a Hearing or a Public Consent Order to include four (4) years probation, substance abuse stipulations, narcotic restrictions, quarterly reports and RN must notify the Board of disposition of criminal charges. Mrs. Keeton seconded the motion and it carried unanimously.

RNI070246 – Mrs. Keeton moved to request RN's investigative file from the Virginia Board of Nursing and order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant board member and the Legal/Discipline Nursing Consultant. If warranted, refer to the Attorney General's Office for a hearing or consent order utilizing evaluation results and/or recommendations. Dr. Barnett seconded the motion and it carried unanimously.

McArthur, Shirley – Mr. Thigpen moved to accept the Cease & Desist Order and refer to Legal Services for a Public Consent Agreement for Reinstatement to include a fine of \$1200 for unauthorized practice. Dr. Barnett seconded the motion and it carried unanimously.

RNI070362 – Dr. Barnett moved to close the case. Mrs. Ayers seconded the motion and it carried unanimously.

RNI070379 – Mr. Thigpen moved to order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant board member and the Legal/Discipline Nursing Consultant. If warranted, refer to the Attorney General's Office for a hearing or consent order utilizing evaluation results and/or recommendations and also include a fine of \$500 for falsification of application. Mrs. Keeton seconded the motion and it carried unanimously.

REQUEST TO LIFT NARCOTIC RESTRICTIONS

(RNI=Registered Nurse Investigative Case Number)

Mr. Thigpen moved to accept the following recommendations for the cases listed below:

	RECOMMENDED ACTION
Adams, Kimberly	Lift narcotic restrictions.
RNI050221	Lift narcotic restrictions.
RNI050353	Lift narcotic restrictions.
RNI050190	Lift narcotic restrictions.
RNI040211	Lift narcotic restrictions.
RNI040313	Lift narcotic restrictions.
RNI050359	Deny request to lift narcotic restrictions.

Mrs. Ayers seconded the motion and it carried unanimously.

REQUEST TO END PROBATION EARLY

Mr. Thigpen moved to accept the following recommendation for the case listed below:

CASE NO#.	RECOMMENDED ACTION
Pittman, Jill	Deny request to end probation early.

Mrs. Keeton seconded the motion and it carried unanimously.

LEGAL/DISCIPLINE COGNIZANT REPORT

Mr. Thigpen moved to accept the following recommendations by the Cognizant Board member to close the complaints listed below.

RNI080145 RNI080090 RNI080147 RNI080128 RNI080069

Mrs. Lockwood seconded the motion and it carried unanimously.

NOTICE OF BORROWER DEFAULT ON REPAYMENT OF STUDENT LOANS

Mr. Thigpen moved to suspend the following license(s) to practice as a registered professional nurse for defaulting on Licensee's student loan, and further moved that this suspension will cease upon the receipt of notice by the Division Director or a notice of release from the Georgia Higher Education Assistance Corporation.

Cynthia Wilson, RN149677
Jane M Carr, RN135443
Patricia Talton, RN173337

Tommie Schell, RN129281
Dorothy Wilson, RN115939
Margena P Ricks, RN168121

Lora J Kania, RN178159
Rene S Hitt, RN039539
Twaun M Spencer, RN191382

Dr. Barnett seconded the motion and it carried unanimously.

CONSENT ORDER-LEGAL SERVICES

(RNI=Registered Nurse Investigative Case Number)

Mrs. Keeton moved to accept the following Private Consent Agreements prepared by Legal Services.

RNI080008	RNI080027	RNI080031	RNI080028	RNI070429
RNI080006	RNI080035	RNI080020	RNI080059	RNI080018
RNI080032	RNI070426	RNI080022	RNI080026	RNI080033
RNI080030	RNI070272	RNI080009	RNI080040	RNI080025
RNI080021	RNI080012	RNI080023	RNI080036	RNI070461
RNI070421	RNI080038	RNI080016	RNI080014	RNI080057
RNI080029	RNI080005	RNI080017	RNI060527	RNI060417
RNI080037	RNI080011	RNI080039	RNI080041	RNI080015
RNI070468	RNI080013			

Mr. Thigpen seconded the motion and it carried unanimously.

COMPUTER-ASSISTED PERSONALIZED SEDATION (CAPS) – MARSHA MCKENNA & KEITH DENNING

Marsha McKenna & Keith Denning presented information regarding CAPS to the Board.

- Propofol sedation does not have to be deep when administered with computer-assisted personalized sedation (CAPS) by a non-anesthesia physician/nurse care team
- The CAPS device facilitated titration to desire clinical effect
 - Inimical/moderate levels of sedation
 - No device-related adverse events
 - Satisfied patients
 - Satisfied endoscopes
 - Consistent results across users and practice settings
- FDA-approved CAPS pivotal study in progress
 - 1000 patients
 - 8 sites

Mrs. Herren joined the meeting at 2:31 p.m. Mrs. Herren was a speaker at the Georgia Rural Health Association Annual Meeting in Athens, Georgia.

Mrs. Lockwood moved, Mr. Thigpen seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. §§ 43-1-2(k), 43-1-19(h), 43-26-5(c) and 43-26-11, *to deliberate on applications and enforcement matters and to receive information on applications, investigative reports, and pending cases*. The motion passed unanimously. Those who voted to enter into Executive Session: Mrs. Keeton, Mrs. Ayers and Dr. Barnett.

At the conclusion of Executive Session on Wednesday, September 19, 2007 Mrs. Wessinger declared the meeting to be "Open" pursuant to the Open and Public Meetings Act, O.C.G.A. 50-14-1-et.seq.

PERSONAL APPEARANCES

(RNI=Registered Nurse Investigative Case Number)

RNI070324 – Mrs. Keeton moved to uphold previous Board decision for a fine of \$1900 for unlicensed practice and proceed with licensure by reinstatement. Mr. Thigpen seconded the motion and it carried unanimously.

Mrs. Lockwood moved, Mr. Thigpen seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. §§ 43-1-2(k), 43-1-19(h), 43-26-5(c) and 43-26-11, *to deliberate on applications and enforcement matters and to receive information on applications, investigative reports, and pending cases*. The motion passed unanimously. Those who voted to enter into Executive Session: Mrs. Keeton, Mrs. Ayers and Dr. Barnett.

At the conclusion of Executive Session on Wednesday, September 19, 2007 Mrs. Wessinger declared the meeting to be "Open" pursuant to the **Open and Public Meetings Act, O.C.G.A. 50-14-1-et.seq.**

RNI070328 – Mrs. Ayers moved to uphold previous Board motion for a fine of \$800 for unlicensed practice. Mrs. Lockwood seconded the motion and it carried unanimously.

RNI080044 – The scheduled personal appearance did not appear.

RNI030094 – The personal appearance did not appear for the granted appearance.

Mrs. Ayers moved, Mrs. Wessinger seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. §§ 43-1-2(k), 43-1-19(h), 43-26-5(c) and 43-26-11, *to deliberate on applications and enforcement matters and to receive information on applications, investigative reports, and pending cases*. The motion passed unanimously. Those who voted to enter into Executive Session: Mrs. Keeton, Mr. Thigpen, Mrs. Lockwood and Dr. Barnett.

At the conclusion of Executive Session on Wednesday, September 19, 2007 Mrs. Herren declared the meeting to be "Open" pursuant to the **Open and Public Meetings Act, O.C.G.A. 50-14-1-et.seq.**

MS – A discussion was held concerning the recurring instances of new nursing faculty beginning work without a valid Georgia license and what steps are needed to correct this problem in the school's hiring process.

LEGAL SERVICES

(RNI=Registered Nurse Investigative Case Number)

RNI080007 – Mrs. Keeton moved to rescind the previous Board decision and proceed with Licensure by Reinstatement. Mrs. Lockwood seconded the motion and it carried unanimously.

RNI080042 – Mrs. Wessinger moved to rescind the previous Board decision and proceed with Licensure by Reinstatement. Mrs. Keeton seconded the motion and it carried unanimously.

RNI080019 – Mrs. Lockwood moved to rescind the previous Board decision and fine RN \$150 for unlicensed practice. Mrs. Ayers seconded the motion and it carried unanimously.

RNI080010 – Dr. Barnett moved to rescind the previous Board decision and proceed with Licensure by Reinstatement. Mrs. Wessinger seconded the motion and it carried unanimously.

RNI080034 – Mr. Thigpen moved to rescind the previous Board decision and fine RN \$50 for unlicensed practice. Mrs. Lockwood seconded the motion and it carried unanimously.

RNI070400 – Mrs. Wessinger moved to uphold the previous Board decision for a fine of \$800 for unlicensed practice. Dr. Barnett seconded the motion and it carried unanimously.

RNI080058 – Mr. Thigpen moved to uphold previous Board decision for a fine of \$900 for unlicensed practice and grant RN a personal appearance. Mrs. Ayers seconded the motion and it carried unanimously.

RNI080024 – Mrs. Lockwood moved to uphold the previous Board decision for a fine of \$150 for unlicensed and grant RN a personal appearance. Mrs. Ayers seconded the motion and it carried unanimously.

Mrs. Herren adjourned the meeting at 5:40 p.m.

THURSDAY, SEPTEMBER 20, 2007

MEMBERS PRESENT

Linda Herren, RN, CRNA, President
Delynn Keeton, RN, MN, CPHRM
Susan Ayers, RN, BSN, MPH
Scott Thigpen, RN, MSN, CEN, CCRN
Karen Wessinger, BSHE, Vice President
Linda Easterly, RN, BSN, MSA, MS, COHN-S
Kellie R. Lockwood, RN, MSN
Toni Barnett, RN, Ph.D., FNP-C

STAFF PRESENT

Sandy Bond, RN, MSN, MBA, Executive Director
Deborah Beard, Compliance Manager
Gwen Dodson, Administrative Assistant
Julia E. Gould, RN, MS, Nursing Consultant – Education
Katrina Martin, RN, BSN, COHN-S, Nursing Consultant–Practice
Janet Jackson, JD, Assistant Attorney General
Adrienne Price, RN, MSN, Nursing Consultant – Legal/Discipline
Meredith Kendall – Staff Attorney – Legal Services
Sonya Williams – Staff Attorney-Legal Services
Julie Fisher – Staff Attorney-Legal Services

VISITORS PRESENT (During Executive Session, visitors are excused unless scheduled for personal appearance)

Joy Conger	Southwest Ga Tech Co.	Linda Scott	Piedmont College	Martha Jenson	Georgia Highlands College
Annie McElroy	Southwest Ga Tech Co.	Celia Hay	LaGrange College	Sandra Holcomb	Georgia Highlands College
Rebecca Corvey	Macon State College	Maramah Sauter	LaGrange College	Barbara Rees	Georgia Highlands College
Lisa O'Steen	Columbus Tech College	Joyce Johnson	Albany State University	Jan Andrews	Macon State College
Linda Abrams	Columbus Tech College	Sylvia McDonald	Athens Tech College	Lynn Waits	Macon State College
Sheryl Winn	Macon State College	Debbie Greene	Macon State College	Virginia Carson	Georgia Highlands College
Sherry Simms	Macon State College	David Bennett	Kennesaw St University	Janie Heath	Medical College of GA
Cynthia Mundy	Medical College of GA	Ken Gordon	Columbus Tech College	Sharon Risby	Gwinnett Tech College
David Weldon	Gwinnett Tech College	A Jean Temple	Valdosta St University	Anita Hufft	Valdosta St University
Vanice Roberts	Chattahoochee Tech Co.	Dawn Hodges	Chattahoochee Tech Co.	Ron Dulaney	Chattahoochee Tech Co.
Harlon Crimm	Chattahoochee Tech Co.	Jan McClure	Gwinnett Tech College	Cathy Maxwell	Gwinnett Tech College
Christine Horne	Kennesaw St University	Khadene Campbell	GC& SU Grad Student		

Mrs. Herren called the meeting to order at 8:30 a.m. on Thursday, September 20, 2007. A quorum to conduct disciplinary matters was determined to exist.

Dr. Barnett moved, Mrs. Easterly seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. §§ 43-1-2(k), 43-1-19(h), 43-26-5(c) and 43-26-11, *to deliberate on applications and enforcement matters and to receive information on applications, investigative reports, and pending cases.* The motion passed unanimously. Those who voted to enter into Executive Session: Mrs. Keeton, Mrs. Wessinger, Mrs. Ayers and Mrs. Lockwood.

At the conclusion of Executive Session on Thursday, September 20, 2007, Mrs. Herren declared the meeting to be "Open" pursuant to the Open and Public Meetings Act, O.C.G.A. 50-14-1-et.seq.

NCLEX APPLICATIONS REVIEW

(RNI=Registered Nurse Investigative Case Number)

RNI080047 – Mrs. Keeton moved to order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant board member. If warranted, refer to the Attorney General's Office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, proceed with licensure and close the case. Dr. Barnett seconded the motion and it carried unanimously.

RNI080048 – Mrs. Lockwood moved to refer to the Attorney General's Office for a Hearing or Private Consent Order to include a Course in Anger Management. Mrs. Easterly seconded the motion and it carried unanimously.

RNI080049 – Mrs. Keeton moved to proceed with licensure by Examination. Mrs. Wessinger seconded the motion and it carried unanimously.

RNI080050 – Mr. Thigpen moved to proceed with licensure by Examination with a Letter of Concern: Alcohol. Mrs. Wessinger seconded the motion and it carried unanimously.

RNI080051 – Mrs. Wessinger moved to proceed with licensure by Examination. Mrs. Ayers seconded the motion and it carried unanimously.

RNI080137 – Mrs. Lockwood moved to deny licensure by examination until legal probation is completed, at which time applicant may then reapply. Mr. Thigpen seconded the motion and it carried unanimously.

RNI080056 – Mrs. Wessinger moved to proceed with licensure by Examination with a Letter of Concern: Alcohol. Mr. Thigpen seconded the motion and it carried unanimously.

ENDORSEMENT APPLICATIONS REVIEW

(RNI=Registered Nurse Investigative Case Number)

RNI080045 – Mrs. Ayers moved to deny licensure by Endorsement until legal probation is completed, at which time RN may then reapply. Dr. Barnett seconded the motion and it carried unanimously.

RNI080052 – Dr. Barnett moved to deny licensure based on Action in another Jurisdiction. Mrs. Keeton seconded the motion and it carried unanimously.

RNI080055 – Mrs. Lockwood moved to write the nurse a letter requesting a detailed letter of explanation of DUI arrest. Mrs. Wessinger seconded the motion and it carried unanimously.

REINSTATEMENT APPLICATIONS REVIEW

(RNI=Registered Nurse Investigative Case Number)

RNI080199 – Dr. Barnett moved to request the applicant to complete an Outpatient MPE. Results are to be reviewed by the Cognizant board member at which time the applicant will be eligible for re-entry. Mrs. Lockwood seconded the motion and it carried unanimously.

RNI080082 – Mrs. Lockwood moved to deny licensure based on history of failing to comply with the requests made by the Board at the nurse's personal appearance in 2005. Mrs. Ayers seconded the motion and it carried unanimously.

RNI060155 – Mrs. Keeton moved that applicant must follow the recommendation of the MPE order for 96 hours of inpatient treatment, which must be completed before Reinstatement of license is considered. Applicant will also need re-entry upon consideration of Reinstatement. Dr. Barnett seconded the motion and it carried unanimously.

3801010118 – Mrs. Ayers moved to deny licensure based on previous pattern of Legal Issues. Mrs. Easterly seconded the motion and it carried unanimously.

RNI040365 – Mrs. Wessinger moved to deny licensure based on Criminal history. Mrs. Keeton seconded the motion and it carried unanimously.

RNI080046 – Mrs. Lockwood moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include probation for (4) four years and track legal probation. Mrs. Easterly seconded the motion and it carried unanimously.

RNI080083 – Dr. Barnett moved to deny licensure based on previous history with the Board and previous pattern of legal issues. Mrs. Easterly seconded the motion and it carried unanimously.

RNI080053 – Mr. Thigpen moved to order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant board member and the Legal/Discipline Nurse Consultant. If warranted, refer to the Attorney General's Office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, proceed with licensure and close the case. Mrs. Wessinger seconded the motion and it carried unanimously.

MENTAL PHYSICAL EVALUATION REVIEW

(RNI=Registered Nurse Investigative Case Number)

3801000048RNI080146 – Mrs. Keeton moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include (4) four years probation and quarterly reports- employer & personal. Mrs. Ayers seconded the motion and it carried unanimously.

RNI070401 – Mr. Thigpen moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include (4) four years probation, substance abuse stipulations, narcotic restrictions, quarterly reports and track legal probation. Mrs. Easterly seconded the motion and it carried unanimously.

RNI070001 – Mrs. Wessinger moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include (4) four years probation, quarterly reports and follow recommendations of MPE order. Dr. Barnett seconded the motion and it carried unanimously.

RNI040379 – Mrs. Easterly moved to deny licensure based on MPE findings and applicant may reapply for licensure upon completion of MPE recommendations. Mrs. Lockwood seconded the motion and it carried unanimously.

RNI060382 – Mr. Thigpen moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include (4) four years probation, substance abuse stipulations, narcotic restrictions, quarterly reports and a fine of \$500 for violation of previous consent order. Mrs. Ayers seconded the motion and it carried unanimously.

COMPLAINT REVIEW

(RNI=Registered Nurse Investigative Case Number)

RNI080085 – Mrs. Easterly moved to close the case with a Letter of Concern re: Unprofessional Behavior. Mrs. Wessinger seconded the motion and it carried unanimously.

POSSIBLE VIOLATION OF CONSENT ORDER

(RNI=Registered Nurse Investigative Case Number)

RNI050358 – Mrs. Keeton moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include an extension of current probation for two (2) years, substance abuse stipulations, narcotic restrictions, quarterly reports and a fine of \$500 for violation of a previous Consent Order. Mrs. Ayers seconded the motion and it carried unanimously.

RNI040011 – Mrs. Ayers moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include an extension of current probation for one (1) year, substance abuse stipulations, narcotic restrictions, quarterly reports, and a fine of \$500 for a violation of a previous Consent Order. Mrs. Wessinger seconded the motion and it carried unanimously.

RNI050298 – Mrs. Easterly moved to order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant board member and the Legal/Discipline Nurse Consultant. If warranted, refer to the Attorney General's Office for a hearing or consent order utilizing evaluation results and/or recommendations. Mrs. Lockwood seconded the motion and it carried unanimously.

OPEN RECORDS REQUEST

(RNI=Registered Nurse Investigative Case Number)

RNI060206 – Dr. Barnett moved to send requested information by the RN to the Tennessee Board of Nursing. Mrs. Keeton seconded the motion and it carried unanimously.

RNI080105 – Mrs. Easterly moved to release a copy of the application and investigative findings to the New York Board of Nursing. Mr. Thigpen seconded the motion and it carried unanimously.

Mrs. Wessinger moved, Mrs. Keeton seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. §§ 43-1-2(k), 43-1-19(h), 43-26-5(c) and 43-26-11, *to deliberate on applications and enforcement matters and to receive information on applications, investigative reports, and pending cases*. The motion passed unanimously. Those who voted to enter into Executive Session: Mrs. Lockwood, Mr. Thigpen, Mrs. Easterly, Dr. Barnett and Mrs. Ayers.

At the conclusion of Executive Session on Thursday, September 20, 2007, Mrs. Herren declared the meeting to be "Open" pursuant to the Open and Public Meetings Act, O.C.G.A. 50-14-1-et.seq.

ATTORNEY GENERAL'S OFFICE

(RNI=Registered Nurse Investigative Case Number)

Dr. Barnett moved to refer Rules 410-11-.03, 410-13-.01 & .02 to the Advanced Practice Registered Nurses Committee for review by October 7, 2007. Mrs. Easterly seconded the motion and it carried unanimously.

Mrs. Ayers moved to refer Georgia Law 43-26-12 (2) to the Ad Hoc Committee for review and recommendations for revision of language to specify acceptance of licensure for out of state registered nurses to assist during natural disasters and designated emergencies declared or undeclared in the state of Georgia. Mr. Thigpen seconded the motion and it carried unanimously.

Mrs. Ayers presented the Board with a copy of the Ad Hoc Committee Meeting Minutes from the meeting held July 20, 2007.

Mrs. Lockwood moved to refer to the Attorney General's office for legal advice regarding wording of consent agreements for unlicensed practice for six (6) months or less. Mr. Thigpen seconded the motion and it carried unanimously.

CONSENT AGREEMENTS/ORDERS – ATTORNEY GENERAL'S OFFICE

(RNI=Registered Nurse Investigative Case Number)

Mr. Thigpen moved to accept the Attorney General's Status and Activity Report and to accept the following Consent Agreements/Orders as prepared by the Attorney General's office.

RNI070407	Dorsey, Melvinia	Jennings, Jason	Noehren, Alice	RNI060293
Bousquette, Christine	RNI060116	McAfee, Kelly	RNI070409	RNI060392
Brown, Kelly	RNI070414	RNI060295	RNI060499	RNI070408
Thompson, Josephine	RNI060139	Womack, Roxianne	Dalgety, Amy	RNI080062
RNI070410	Nicholas, Suzanne	Pascoe, Judith	Patterson, Deborah	Tanner, Kevin

Mrs. Easterly seconded the motion and it carried unanimously.

Turner, Tonya - Mrs. Ayers moved not to accept the Consent Order and refer to the Attorney General's Office for a Hearing or Revocation. Dr. Barnett seconded the motion and it carried unanimously.

Ellis, Susan – Dr. Barnett moved to accept Voluntary Surrender. Mrs. Keeton seconded the motion and it carried unanimously.

RNI040384 – Mrs. Lockwood moved to uphold previous MPE order. Mr. Thigpen seconded the motion and it carried unanimously.

RNI060233 – Dr. Barnett moved to close the case. Mrs. Easterly seconded the motion and it carried unanimously.

RNI060464 – Mrs. Wessinger moved to close the case. Mrs. Ayers seconded the motion and it carried unanimously.

RNI060476 – Dr. Barnett moved to rescind the previous Board decision for a MPE and close the case. Mr. Thigpen seconded the motion and it carried unanimously.

RNI070165 – Mr. Thigpen moved to close the case. Mrs. Easterly seconded the motion and it carried unanimously.

RNI060402 – Mr. Thigpen moved to close the case. Dr. Barnett seconded the motion and it carried unanimously.

APPLICATION REVIEWS AND APPROVAL OF LICENSURE

Mr. Thigpen moved, Mrs. Wessinger seconded and the Board voted to approve applications for licensure and advanced practice authorization for the months of June 2007 through July, 2007 that were determined, pursuant to Board approval guidelines, to have met licensure/authorization requirements. See attached reports.

Mrs. Wessinger moved, Mrs. Lockwood seconded and the Board voted to enter into Executive Session in accordance with O.C.G.A. §§ 43-1-2(k), 43-1-19(h), 43-26-5(c) and 43-26-11, *to deliberate on applications and enforcement matters and to receive information on applications, investigative reports, and pending cases*. The motion passed unanimously. Those who voted to enter into Executive Session: Mrs. Keeton, Mr. Thigpen, Mrs. Easterly, Dr. Barnett and Mrs. Ayers.

At the conclusion of Executive Session on Thursday, September 20, 2007, Mrs. Herren declared the meeting to be "Open" pursuant to the Open and Public Meetings Act, O.C.G.A. 50-14-1-et.seq.

PERSONAL APPEARANCE

(RNI=Registered Nurse Investigative Case Number)

RNI070324 – Mrs. Keeton moved to accept the Private Consent Agreement. Mr. Thigpen seconded the motion and it carried unanimously.

RNI070328 – Mrs. Keeton moved to accept the Private Consent Agreement. Mr. Thigpen seconded the motion and it carried unanimously.

INTERNATIONAL APPLICATIONS – JULIA GOULD

AC – Mrs. Keeton moved to notify AC that, in order for her to be considered as a duly qualified applicant for licensure by examination, she must enroll in and graduate from an approved nursing education program leading to initial licensure as a first-level registered nurse. The program must meet criteria similar to, and no less stringent than, those established by the Georgia Board of Nursing. [410-6-.02 (1), (2)] Mr. Thigpen seconded the motion and it carried unanimously.

SITE VISIT REPORTS

Medical College of Georgia/CNL

The Board reviewed the Medical College of Georgia's June 20-21, 2007 Site Visit Report. Dr. Barnett moved to accept the following commendations:

1. A comprehensive written plan for total program evaluation has been implemented consistently with documentation of relevant actions and decisions. [410-3-.03 (7); 410-3-.05 (12)]
2. The Outcomes Assessment Committee clearly annotates decisions and actions related to the School's goals, implementation plan, and evaluation of outcomes. [410-3-.03 (7); 410-3-.05 (12)]

3. Teaching/learning strategies, activities and interactions incorporate praxis, reflection, critical thinking, and decision-making. [410-3-.04 (2)]
4. Teaching/learning strategies, activities and interactions facilitate the transition to professional practice. [410-3-.04 (3)]
5. Various strategies are used in the critique/evaluation of student learning and progress. [410-3-.04 (4)]
6. Faculty members have the graduate nursing education, expertise and professional development to enable the learning goals of the curriculum. [410-3-.05 (9)]
7. The Information packet for Faculty and the Guidelines for Clinical Faculty are excellent. [410-3-.05 (13), (14), (15)]
8. A comprehensive Preceptor Information Packet has been developed. [410-3-.06]
9. Opportunities are available for students that provide for flexible schedules, learning activities, and diverse practice settings. [410-3-.04 (1)(a), (1)(f); 410-3-.09 (1)(c)]
10. Approve the off-campus offering of the CNL Program on the Athens Campus. [410-3-.10 (2)(c)]

Mrs. Easterly seconded the motion and it carried with Mr. Thigpen abstaining.

Dr. Barnett moved to accept the following recommendations:

1. For each course, provide written clarification of online or web-enhanced teaching strategies and modalities. [410-3-.03 (8)]
2. Revise test items to provide conformity with prevailing standards of test construction and the incorporation of items consistent with the organizing framework and nursing decision-making. [410-3-.04 (4)]
3. Review and revise the Handbook for currency and inclusion of policies appropriate for prelicensure students. [410-3-.07 (2)]
4. In order for Full Approval to be considered, at least eighty (80) percent of all first-time writers of NCLEX-RN from the first class of graduates must pass within one year of graduations. [410-3-.02 (3)(d)]

Mrs. Ayers seconded the motion and it carried with Mr. Thigpen abstaining.

Bainbridge College

The Board reviewed Bainbridge College's June 27-28, 2007 Site Visit Report. Mr. Thigpen moved to accept the following recommendations:

1. The plan for total program evaluation is comprehensive and detailed [410-3-.03 (7)]
2. Minutes reflect business conducted and actions taken. [410-3-.05 (12)]
3. Teaching/learning strategies, activities, and interactions incorporate praxis, reflection, critical thinking and decision-making. [410-3-.04 (2)]
4. Teaching/learning strategies, activities, and interactions facilitate the transition to professional practice. [410-3-.04 (3)]
5. The guidelines for Levels I, II, and III Procedures and the clinical skills record provide direction for students and faculty members and provide for patient safety. [410-3-.04 (4)]
6. Various strategies are used in the critique/evaluation of student learning and progress. [410-3-.04 (4)]
7. Faculty members have the graduate nursing education, expertise, and professional development to enable the outcomes of the program. [410-3-.05 (9)]
8. The Associate Degree Nursing Program Preceptor Guide provides clear direction for students, faculty members, and preceptors. [410-3-.06]
9. Educational facilities and resources have been provided to enable the learning goals of the curriculum. [410-3-.09]

Mrs. Wessinger seconded the motion and it carried unanimously.

Mr. Thigpen moved to accept the following commendations:

1. The total testing program with ATI must be clearly outlined in the Associate Degree Nursing Student Handbook and on each syllabus in terms of course requirements and outcomes. [410-3-.04 (4); 410-3-.07 (2)]
2. The Associate Nursing Student Handbook must include a policy about the employment of unlicensed students. [410-3-.07 (4)]

3. Full Approval may be considered when compliance with rules related to the site visit report and responses to it, the annual report, and at least eighty (80) percent of all first-time writers from the first class have passed the NCLEX-RN within one year of the graduation date. [410-3-.02 (3)(d)]

Mrs. Easterly seconded the motion and it carried unanimously.

NEW INITIATIVES

Georgia Highlands College

Mrs. Keeton moved to approve the following recommendations.

1. Approve a second admission in the spring semester for Georgia Highlands College. [410-3-.10 (2)(d)]
2. Approve the offering of a hybrid career mobility option for the LPN-RN and Paramedic-RN bridge courses at Georgia Highlands College. [410-3-.10 (2)(a)]

Dr. Barnett seconded the motion and it passed unanimously.

Kennesaw State University

Dr. Barnett moved to approve the proposal submitted by Kennesaw State University for an accelerated BSN track for second degree students at Appalachian Technical College. [410-3-.10 (2)(c)] Mrs. Lockwood seconded the motion and it carried unanimously.

PUBLIC RULES HEARING – RULES 410-11-.03 & 410-13-.01 & .02

Mrs. Keeton moved to vote to post Rule 410-3 in its entirety. Dr. Barnett seconded the motion and it carried unanimously.

NOTICE OF INTENT TO ADOPT A PROPOSED NEW RULE TO THE GEORGIA BOARD OF NURSING CHAPTER 410-11: STANDARDS OF PRACTICE AND NOTICE OF PUBLIC HEARING

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia Board of Nursing (hereinafter "Board") proposes to adopt a new rule to the Rules of the Georgia Board of Nursing, Chapter 410-11. The proposed new rule clarifies the use of written protocols authorized under O.C.G.A 43-34-26.1 by registered professional nurses.

This notice, together with an exact copy of the proposed new rule and a synopsis of the proposed new rule, is being mailed to all persons who have requested, in writing, that they be placed on a mailing list. A copy of this notice, an exact copy of the proposed new rule, and a synopsis of the proposed new rule may be reviewed during normal business hours of 8:00 a.m. to 5:30 p.m. Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Georgia Board of Nursing's web page at www.sos.georgia.gov/plb/rn. Copies may also be requested by contacting the Georgia Board of Nursing office at (478) 207-2440.

A public hearing is scheduled to begin at 8:30 a.m. on November 16, 2007 at the Professional Licensing Boards Division, located at 237 Coliseum Drive, Macon, Georgia to provide the public an opportunity to comment upon and provide input into the proposed rule. At the public hearing, anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to 5 minutes per person. Additional comments should be presented in writing. Written comments are welcome. To ensure their consideration, written comments must be received on or before November 5, 2007. Written comments should be addressed to Donald Munday, Acting Division Director, Secretary of State, Professional Licensing Boards Division, Georgia Board of Nursing, 237 Coliseum Drive, Macon, Georgia 31217. FAX: 478-207-1660.

The proposed rule will be considered for adoption by the Georgia Board of Nursing at its meeting scheduled to begin at 8:35 a.m. November 16, 2007 at the Professional Licensing Boards Division at 237 Coliseum Drive, Macon, Georgia 30217. According to legal advice rendered by the Department of Law, State of Georgia, the Georgia Board of Nursing has the authority to adopt the proposed new rule to Chapter 410-11, pursuant to authority contained in O.C.G.A. §§ 43-26-3 (6), (8) and 43-26-5 (a).

In accordance with the provisions of O.C.G.A. 50-13-4 (a) (4), the Board voted at its conference call meeting on October 15, 2007 that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and that any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-26-1 et seq.

The Board also voted at its meeting on November 15, 2007 that, in order to meet the objectives O.C.G.A. §§43-26-1 et seq. it is not legal or feasible to adopt or implement differing actions for businesses as required by the provisions of O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D). The formulation and adoption of this rule will impact every licensee in the same manner and will have the same impact on each licensee that is independently owned and operated in the field of nursing.

For further information, contact the Board office at 478-207-1651.

This notice is given in compliance with O.C.G.A. §50-13-4.

This ____ day of _____, 2007.

Donald Munday
Division Director
PROFESSIONAL LICENSING BOARDS

Posted: _____

SYNOPSIS OF PROPOSED RULE TO THE GEORGIA STATE BOARD OF NURSING RULES RULE 410-11-.03

PURPOSE: The purpose of this rule adoption is to clarify protocol use by registered nurses.

MAIN FEATURE: The main feature of this rule is to identify settings for registered professional nurses who use protocols as authorized by OCGA 43-34-26.1.

PROPOSED NEW RULE TO THE GEORGIA STATE BOARD OF NURSING RULES, CHAPTER 410-11 STANDARDS OF PRACTICE; RULE 410-11-.03 USE OF NURSE PROTOCOLS AUTHORIZED BY O.C.G.A. § 43-34-26.1 BY REGISTERED NURSES IN SPECIFIC SETTINGS

NOTE: Underlined text is proposed to be added; lined through text is proposed to be deleted.

Rule 410-11-.03 Use of Nurse Protocols Authorized by O.C.G.A. § 43-34-26.1 by Registered Nurses in Specific Settings

410-11-.03 Use of Nurse Protocols Authorized by O.C.G.A. § 43-34-26.1 by Registered Nurses in Specific Settings

(1) The general purpose of this rule is to protect and safeguard the public by regulating the practice of registered nurses ("RNs") who use protocols in specific settings as authorized by O.C.G.A. § 43-34-26.1.

(2) A RN who uses a nurse protocol in specific settings as authorized by O.C.G.A. § 43-34-26.1 shall;

(a) hold a current license to practice as a registered nurse in Georgia;

(b) adhere to a nurse protocol which is a written document mutually agreed upon and signed by the nurse and licensed physician which delegates to the nurse the authority to perform specified medical acts and provides for immediate consultation with the delegating physician or a physician designated in the absence of the delegating physician;

(c) document preparation and performance specific to each medical act authorized under O.C.G.A. § 43-34-26.1, including ordering dangerous drugs, medical treatments, or diagnostic studies and the dispensing of dangerous drugs in accordance with dispensing procedure and under the authority of a physician's order.

(3) The nurse protocol used by a RN pursuant to the provisions of O.C.G.A. § 43-34-26.1 shall comply with the following criteria:

(a) shall bear a current review date, be available upon request; and specify parameters under which delegated medical acts may be performed;

(b) shall include a schedule for periodic review of patient records by the delegating physician;

(c) shall be reviewed, revised or updated annually;

(d) shall include a provision for immediate consultation with the delegating physician designated in the absence of the delegating physician;

(e) shall comply with provisions for ordering or dispensing drugs under subsection (b) of Code Section 26-4-130 and the rules and regulations established pursuant thereto by the State Board of Pharmacy and adhere to a written dispensing procedure when dispensing dangerous drugs as required by O.C.G.A. § 43-34-26.1 (a) (3.1) and (4).

(4) A RN may practice under protocol pursuant to the provisions of O.C.G.A. § 43-34-26.1 as an agent or employee of the following:

(a) The Division of Public Health of the Department of Human Resources;

(b) Any county board of health;

(c) Any organization:

(1) Which is exempt from federal taxes pursuant to Section 501 (c) (3) of the Internal Revenue Code as defined in Code Section 48-1-2, other than an organization which is a hospital, preferred provider organization, health maintenance organization, or similar organization; or

(2) Established under the authority of or receiving funds pursuant to 42 U.S.C. Section 254b or 254c of the United States Public Health Service Act.

(3) Which organization provides that those medical services and dangerous drugs which are ordered or dispensed by its nurses will be provided at no cost to patient or at a cost based solely upon the patient's ability to pay.

(d) An outpatient clinic:

(1) Which is owned or operated by a licensed hospital;

(2) Which provides such drugs, treatments, or studies free or at a charge to the patient based solely upon the patient's ability to pay; provided, however, such charge shall not exceed the actual cost to the outpatient clinic; and

(3) Whose services are primarily provided to the medically disadvantaged.

O.C.G.A. §§ 43-26-3 (6), (8) and 43-26-5 (a).

Mrs. Easterly moved to vote to post Rule 410-13-.01 & .02. Mrs. Wessinger seconded the motion and it carried unanimously.

**NOTICE OF INTENT TO ADOPT A PROPOSED AMENDMENT AND A NEW RULE
TO THE GEORGIA BOARD OF NURSING CHAPTER 410-13: REGULATION OF PROTOCOL USE BY
REGISTERED NURSES AND NOTICE OF PUBLIC HEARING**

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia Board of Nursing (hereinafter "Board") proposes to amend existing Rule 410-13 and to adopt new Rule 410-13-.02 of the Rules of the Georgia Board of Nursing, Chapter 410-13. The proposed rule amendments and new rule are intended to clarify the use of protocols by Advanced Practice Registered Nurses under O.C.G.A. §§43-34-26.1 and 43-34-26.3.

This notice, together with an exact copy of the proposed new rule and with a synopsis of the proposed rule amendment(s) and new rule, is being mailed to all persons who have requested, in writing, that they be placed on a mailing list. A copy of this notice, an exact copy of the proposed rule amendment(s), and the new rule with a synopsis may be reviewed during normal business hours of 8:00 a.m. to 5:30 p.m. Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Georgia Board of Nursing's web page at www.sos.georgia.gov.us/plb/rn. Copies may also be requested by contacting the Georgia Board of Nursing office at (478) 207-2440.

A public hearing is scheduled to be held at 8:30 a.m. on November 16, 2007 at the Professional Licensing Boards Division, located at 237 Coliseum Drive, Macon, Georgia to provide the public an opportunity to comment upon and provide input into the proposed rule amendments and new rule. At the public hearing, anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to 5 minutes per person. Additional comments should be presented in writing. Written comments are welcome. To ensure their consideration, written comments must be received on or before November 5, 2007. Written comments should be addressed to Donald Munday, Acting Division Director, Secretary of State, Professional Licensing Boards Division, Georgia Board of Nursing, 237 Coliseum Drive, Macon, Georgia 31217. FAX: (478) 207-1660.

The proposed rule amendments and new rule will be considered for adoption by the Georgia Board of Nursing at its meeting scheduled to begin at 8:35 a.m. November 16, 2007 at the Professional Licensing Boards Division at 237 Coliseum Drive, Macon, Georgia 30217. According to legal advice rendered by the Department of Law, State of Georgia, the Georgia Board of Nursing has the authority to adopt the proposed rule amendments to Chapter 410-13, pursuant to authority contained in O.C.G.A. §§43-26-1, et seq., also known as the Georgia Registered Professional Nurse Practice Act.

In accordance with the provisions of O.C.G.A. 50-13-4 (a) (4), the Board voted at its conference meeting on October 15, 2007, that the formulation and adoption of these rules do not impose excessive regulatory cost on any licensee and that any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§43-26-1 et seq.

The Board voted also at its conference call meeting on October 15, 2007 that, in order to meet the objectives of O.C.G.A. §§43-26-1 et seq., it is not legal or feasible to adopt or implement differing actions for businesses as required by the provisions of O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D). The formulation and adoption of these rules will impact every licensee in the same manner and will have the same impact on each business that is independently owned and operated in the field of nursing.

For further information, contact the Board office at (478) 207-1651.

This notice is given in compliance with O.C.G.A. §50-13-4.

This ____ day of _____, 2007.

Donald Munday
Division Director
PROFESSIONAL LICENSING BOARDS

Posted: _____

SYNOPSIS OF PROPOSED REVISIONS TO THE GEORGIA STATE BOARD OF NURSING RULES RULE 410-13-01

PURPOSE: The purpose of this rule revision is to update and clarify protocol use by advanced practice registered nurses as authorized by OCGA 43-34-26.1

MAIN FEATURE: The main feature of this rule is to clarify protocol use by advanced practice registered nurses who do not issue prescription drug orders.

DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS TO THE GEORGIA STATE BOARD OF NURSING RULES, CHAPTER 410-13 REGULATION OF PROTOCOL USE BY REGISTERED NURSES; RULE 410-13-.01 REGULATION OF PROTOCOL USE BY REGISTERED NURSES IN SPECIFIC SETTINGS. AMENDED

NOTE: Underlined text is proposed to be added; lined through text is proposed to be deleted.

Rule 410-13-.01 Regulation of Protocol Use By Advanced Practice Registered Nurses as Authorized by O.C.G.A. §43-34-26.1. Amended.

410-13-.01 Regulation of Protocol Use By Advanced Practice Registered Nurses as Authorized by O.C.G.A. §43-34-26.1. Amended.

(1) The general purpose of these rules is to assist in protecting and safeguarding the public by regulating the practice of advanced practice registered nurses who use protocols as authorized by O.C.G.A. §43-34-26.1.

(2) An advanced practice registered ~~P~~professional ~~N~~nurse who uses a protocol as authorized by O.C.G.A. §43-34-26.1 ~~must~~ shall:

(a) hold a current license to practice as a registered nurse in Georgia;

(b) ~~document preparation and performance specific to each medical act authorized by protocol including ordering dangerous drugs, medical treatments or diagnostic studies;~~ hold a current authorization as an advanced registered nurse in Georgia; agreement

(c) adhere to a written document (~~protocol~~) which is a written document mutually agreed upon and signed by the nurse and licensed physician which specifies delegated medical acts delegated by the physician to the nurse and provides for immediate consultation with the delegating physician or a physician designated in ~~his or her~~ the absence- of the delegating physician; and

(d) document preparation and performance specific to each medical act authorized by a written nurse protocol, including the ordering and administering of controlled substances, ordering and dispensing of dangerous drugs, and ordering medical treatments and diagnostic studies in accordance with O.C.G.A. § 43-34-26.1.

~~(3) A registered Nurse may only be authorized to practice by use of a protocol if it adheres to the following criteria: The nurse protocol agreement used by an advanced practice registered nurse under the provisions of O.C.G.A. §43-34-26.1 shall comply with the following criteria:~~

~~(a) must bear a current review date; be available upon request; and specify parameters under which delegated medical acts may be performed; shall be in writing and signed by the advanced practice nurse and the delegating physician;~~

~~(b) must include a schedule for periodic review of patient records by the delegating physician; shall be dated, available upon request; and specify parameters under which medical acts delegated by the physician may be performed;~~

~~(c) must be reviewed, revised or updated annually; shall include for periodic review of patient records by the delegating physician;~~

~~(d) must include a provision for immediate consultation with the delegating physician designated in his or her absence. shall be reviewed, revised or updated annually;~~

~~(e) shall include a provision for immediate consultation with the delegating physician or a physician designated in the absence of the delegating physician; and~~

~~(f) shall contain written provisions regarding the procedure for dispensing dangerous drugs which comply with O.C.G.A. §43-34-26.1 (a)(3), (3.1), (4), and (5), if the dispensing of dangerous drugs is included as a delegated medical act in the nurse protocol agreement.~~

~~(g) shall contain written provisions regarding the procedure for ordering controlled substances which comply with paragraph (b)(1) of O.C.G.A. §43-34-26.1, if the ordering of controlled substances is included as a delegated medical act in the nurse protocol agreement.~~

Authority O.C.G.A. §§43-26-3 and 43-26-5.

SYNOPSIS OF PROPOSED REVISIONS TO THE GEORGIA STATE BOARD OF NURSING RULES RULE 410-13-.02

PURPOSE: The purpose of this rule revision is to update and clarify protocol use by advanced practice registered nurses as authorized by OCGA §43-34-26.3.

MAIN FEATURE: The main feature of this rule is to clarify protocol use by advanced practice registered nurses who issue prescription drug orders.

DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS TO THE GEORGIA STATE BOARD OF NURSING RULES, CHAPTER 410-13 REGULATION OF PROTOCOL USE BY REGISTERED NURSES; RULE 410-13-.02 REGULATION OF PROTOCOL USE BY ADVANCED PRACTICE REGISTERED NURSES AS AUTHORIZED BY O.C.G.A. §43-34-26.3

NOTE: Underlined text is proposed to be added; lined through text is proposed to be deleted. 410-13-.02 Use By Advanced Practice Registered Nurses of Nurse Protocol Agreements Authorized by O.C.G.A. §43-34-26.3.

Rule 410-13-.02 Regulation of Protocol Use By Advanced Practice Registered Nurses as Authorized by O.C.G.A. §43-34-26.3.

410-13-.02 Regulation of Protocol Use By Advanced Practice Registered Nurses as Authorized by O.C.G.A. §43-34-26.3.

(1) An advanced practice registered nurse ("APRN") who uses a protocol authorized by O.C.G.A. § 43-34-26.3 shall:

(a) hold a current license to practice as a registered professional nurse in Georgia;

(b) hold a current authorization to practice as an advanced practice registered nurse in Georgia;

(c) adhere to a written nurse protocol agreement that is dated and signed by the APRN, the delegating physician, and any other designated physician(s); the APRN's area of practice shall be in the same or comparable specialty as that of the delegating physician; the protocol shall specify the medical acts delegated to the APRN as provided by O.C.G.A. § 43-34-26.3 and shall provide for immediate consultation with the delegating physician or a designated physician if the delegating physician is not available; and

(d) document preparation and performance specific to each medical act authorized by the written nurse protocol agreement including ordering drugs, medical treatments or diagnostic studies, medical devices, or, in life threatening situations, radiographic imaging tests.

(2) An APRN may practice under a nurse protocol agreement authorized by O.C.G.A. § 43-34-26.3 if the nurse protocol agreement adheres to the following criteria:

(a) shall bear a current review date; be available upon request; and specify parameters under which delegated medical acts may be performed to include kinds of diagnostic studies which may be ordered, the extent to which radio logic image tests may be ordered, provisions for the reading and interpretation of such tests by a physician who is trained in the reading and interpretation of the tests, circumstances under which prescription drugs orders may be executed, number of refills which may be ordered, include a frequency of follow up review of the patient by the physician, including patients who are on controlled substances;

(b) shall include a schedule for periodic review of patient records by the delegating physician, which records review may be achieved with a sampling of such records as determined by the delegating physician;

(c) shall be reviewed, revised or updated annually by the APRN, the delegating physician, and any designated physician;

(d) shall include a provision for immediate consultation with the delegating physician or a physician designated in the absence of the delegating physician; and

(e) shall comply with the provisions of O.C.G.A. § 43-34-26.3 regarding prescription drug orders placed by an APRN for a drug or medical device including, but not limited to, the following:_____

1. no prescription drug orders submitted by an APRN for Schedule I or II controlled substances;

2. no refills of any drug for more than 12 months from the date of the original Order, except in the case of oral contraceptives, hormone replacement therapy, or prenatal vitamins, which may be refilled for a period of 24 months;

3. no drug order or medical device that may result in the performance or occurrence of an abortion, including the administration, prescription or issuance of a drug order that is intended to cause an abortion to occur pharmacologically;

4. written prescription drug orders shall be signed by the APRN, be written on forms that comply with the nurse protocol agreement, and such forms shall contain the information required by paragraph (d) of O.C.G.A. § 43-34-26.3;

5. a written provision in the nurse protocol agreement authorizing the APRN to request, receive, and sign for professional samples, and to distribute them to patients in accordance with a list of professional samples approved by the delegating physician that is maintained by the office or facility where the APRN works and that requires the documentation of each sample received and dispensed; and

6. compliance with applicable state and federal laws and regulations pertaining to the ordering, maintenance, and dispensing of drugs.

(3) Only four (4) advanced practice registered nurses may enter into a nurse protocol agreement with a delegating physician at any one time under O.C.G.A. § 43-34-26.3, except this limitation shall not apply to an APRN that is practicing in the following settings:

(a) In a hospital licensed under Title 31;

(b) In any college or university as defined in Code Section 20-8-1;

(c) In the Department of Human Resources;

(d) In any county board of health;

(e) In any free health clinic;

(f) In a birthing center;

(g) In any entity;

1. Which is exempt from federal taxes pursuant to Section 501(c)(3) of the Internal Revenue Code, as defined in Code Section 48-1-2, and primarily serves uninsured or indigent Medicaid and Medicare patients; or

2. Which has been established under the authority of or is receiving funds pursuant to 42 U.S.C. Section 254b or 254c of the United States Public Health Service Act;

(h) In any local board of education which has a school nurse program; or

(i) In a health maintenance organization that has an exclusive contract with a medical group practice and arranges for the provision of substantially all physician services to enrollees in health benefits of the health maintenance organization.

Authority O.C.G.A. §§ 43-26-3 and 43-26-5.

Mr. Thigpen moved that the formulation and adoption of these rules does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the applicable laws. Mrs. Lockwood seconded the motion and it carried unanimously.

RESPONSES TO BOARD RECOMMENDATIONS

Albany State University

Dr. Barnett moved to accept the response to the April 2-3, 2007 site visit report submitted by Albany State University. [410-3-.10 (2)(b)] Mrs. Easterly seconded the motion and it carried unanimously.

Columbus Technical College

Mrs. Keeton moved based upon documentation of compliance with rules related to annual reports, the most recent site visit report and responses to recommendations, and an overall passing percentage of at least eighty (80) percent (110/120, 91.6%) of all first-time NCLEX-RN writers over the last four (4) years (2004-2007), Full Approval is extended through December 31, 2011. [410-3-.02 (3)(a)] Unless another reason presents itself, the next site visit will be scheduled during the 2010-2011 academic year. [410-3-.01 (d)] Mrs. Ayers seconded the motion and it carried unanimously.

Southwest Georgia Technical College

Mr. Thigpen moved based upon documentation of compliance with Rule 410-3-.05 (6), Full Approval is restored to the Associate Degree Program at Southwest Georgia Technical College through December 31, 2009. [410-3-.02 (3)(c)] Unless another reason presents itself, the next site visit will be scheduled for the 2008-2009 academic year. [410-3-.01 (d)] Mrs. Easterly seconded the motion and it carried unanimously.

Piedmont College

Mrs. Keeton moved the following recommendations.

1. Accept Piedmont College's response to the Board's March 28-29, 2007 site visit recommendations. [410-3-.10 (2)(b)]
2. Based upon documentation of a four-year (2004-2007) average passing percentage of first-time NCLEX-RN writers of less than 80% (63/83, 75.9% or 64/83, 77.1%), Conditional Approval is imposed upon the baccalaureate nursing program at Piedmont College. [410-3-.02 (4)]

Mrs. Wessinger seconded the motion and it carried unanimously.

MISCELLANEOUS

Mr. Thigpen presented to the Board and visitors, information regarding faculty member vacancies from the Board of Regents website and a discussion was held.

<u>Schools</u>	<u>Vacancies</u>
Augusta State University	1
Georgia Southwestern State University	1
Georgia Southern University	2
Kennesaw State University	3
Medical College of Georgia	8
Emory University	9
Macon State University	2
Thomas University	1
Albany Technical College	1
Flint River Technical College	2
Moultrie Technical College	1
Savannah Technical College	2
West Central Technical College	1

DEVELOPING PROGRAMS

Chattahoochee Technical College

Mrs. Lockwood moved the following recommendations:

1. The degree to be awarded to proposed graduates of the program should be the Associate Degree in Nursing.
 2. The nature of the site visits to Cobb Hospital, Douglas Hospital, Kennestone Hospital, Paulding Hospital, and Paulding Long Term Care (all Wellstar) needs to be clarified. If all of them did not occur on site at each facility, an evaluation survey of each one needs to be considered.
 3. Missing information from Tender Health Care about other programs of health care students using the facility needs to be provided.
- [410-3-.02 (1)(a)]

Mrs. Ayers seconded the motion and it carried unanimously.

Gwinnett Technical College

Mrs. Wessinger moved to table the proposal pending written responses by Gwinnett Technical College to submitted statements of concern from other nursing education programs. Mrs. Lockwood seconded the motion and it carried unanimously.

Macon State College/Prelicensure BSN

Mrs. Ayers moved the following recommendations:

1. Acknowledge the receipt of development and implementation materials for 24 and 22 months submitted by Macon State College for its proposed prelicensure BSN Program. [410-4-.01 (1)(a), (1)(b), (2)(a), (2)(b), and (2)(c)]
2. Reassess the practice settings for the proposed prelicensure BSN Program and submit written descriptions that are current and appropriate for this cohort of students in terms of learning activities and location. [410-4-.01 (2)(d)]
3. A letter must be received from each nurse administrator which describes support for the proposed program and plans to accommodate additional students. [410-4-.01 (1)(a)]
4. Ten (10) unbound, one-sided copies must be received in the board office no later than October 12, 2007 for review at the Board's November 14-16, 2007 meeting. [410-3-.10 (2)(b)]

Mrs. Wessinger seconded the motion and it carried unanimously.

LaGrange College

Dr. Barnett moved the following recommendations:

1. Accept LaGrange College's responses to the February 7-8, 2007 site visit recommendations. [410-3-.10 (2)(b)]
2. Extend the withdrawal of approval for the program effective June 1, 2009 with no new students being admitted to it. The program would remain on Conditional Approval until that date. Any students currently enrolled must be advised in writing that they must graduate by June 1, 2009. [OCGA 43-26-7 (b)]
3. For a reconstituted program, the requirements for the development and implementation fee, a current feasibility study, and written descriptions of practice settings are waived. [OCGA 43-26-5 (A)(21); 410-4-.01 (1)(a); 410-4-.01 (2)(d)]
4. Ten (10) unbound, one-sided copies of the following information must be submitted to the Board office no later than October 10, 2007 for review at the November 14-16, 2007 meeting:
 - (a) a completed application signed by the chief administrative officer of the parent institution;
 - (b) an affidavit of approval of the reconstituted nursing education program by the governing board of LaGrange College;
 - (c) documentation of projected revenues and expenditures for five (5) fiscal years to support the maintenance of the existing program and the development and implementation of the reconstituted nursing education program and provide sufficient qualified faculty members, print and non-print learning resources, academic support courses, and educational facilities in compliance with Board rules;
 - (d) plans for the graduation of the currently enrolled juniors, seniors, and RN/BSN students by June 1, 2008;
 - (e) plans for students who fail a course;
 - (f) plans for the transfer of currently enrolled freshmen and sophomores into the developing program as juniors and seniors. [410-4-.01 (2)(a), (b) and (c); 410-5-.01 (2)(b)]

Mrs. Easterly seconded the motion and it carried unanimously.

GEORGIA BOARD OF NURSING SITE VISITS 2007-2008

Julia Gould presented the Board with the site visit dates for each school requiring a site visit for the calendar year November, 2007 to December, 2008 and a discussion was held.

MISCELLANEOUS

(RNI=Registered Nurse Investigative Case Number)

Wells, Cristal Lachon – Mr. Thigpen moved that the Public Health, Safety and Welfare imperatively requires the emergency action of summary suspension of license based on the annulment of license by North Carolina Board of Nursing, the summary suspension of license by the South Carolina Board of Nursing and the submission of fraudulent information on the application for licensure to the Georgia Board of Nursing. The Board also moved to refer case to Investigations to locate imposter to issue a Cease & Desist Order if currently working and contact Georgia State University with the fraudulent documentation of Cristal Wells as an imposter. Mrs. Easterly seconded the motion and it carried unanimously.

RNI030122 – Mrs. Keeton moved to accept documentation as submitted for compliance for the MPE order. Mrs. Wessinger seconded the motion and it carried unanimously.

RNI030122 – Mrs. Wessinger moved to refer to the Attorney General's Office for a Voluntary Surrender or Indefinite Suspension based on the results of the MPE order. Mrs. Ayers seconded the motion and it carried unanimously.

RNI050429 – Dr. Barnett moved to amend the March, 2007 disposition from a Public to a Private Consent Order and follow MPE recommendations. Mrs. Keeton seconded the motion and it carried unanimously.

ADVANCED PRACTICE COMMITTEE – TONI BARNETT

- A copy of the Advanced Practice Sub-Committee Meeting minutes from the September 5, 2007 Meeting was presented to the Board.

Mr. Thigpen moved, Dr. Barnett seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. §§ 43-1-2(k), 43-1-19(h), 43-26-5(c) and 43-26-11, *to deliberate on applications and enforcement matters and to receive information on applications, investigative reports, and pending cases*. The motion passed unanimously. Those who voted to enter into Executive Session: Mrs. Ayers, Mrs. Lockwood, Mrs. Easterly, Mrs. Wessinger and Mrs. Keeton.

At the conclusion of the Executive Session on Thursday, September 20, 2007 Mrs. Herren declared the meeting to be "Open" pursuant to the Open and Public Meetings Act, O.C.G.A. 50-14-1-et.seq.

MISCELLANEOUS

(RNI=Registered Nurse Investigative Case Number)

RNI060026 – Mrs. Keeton moved to refer to the Attorney General's Office for a Hearing or Private Consent Order to include probation for four (4) years, substance abuse stipulations, narcotic restrictions, and quarterly reports. The Private Consent order will revert to a Public Consent if RN is convicted, which may also lead to further sanctions. Mrs. Keeton seconded the motion and it carried unanimously.

RNI080105 – Mrs. Easterly moved to close the case with a Letter of Concern re: Fraudulent documentation of conducting a purified protein directive and a physical examination. Mrs. Keeton seconded the motion and it carried unanimously.

RNI080195 – Mrs. Wessinger moved to refer to the Attorney General's Office for a Hearing or Private Consent Order to include probation for four (4) years, substance abuse stipulations, narcotic restrictions and quarterly reports. Mrs. Easterly seconded the motion and it carried unanimously.

RNI080194 – Mrs. Easterly moved to refer to the Attorney General's Office for a Hearing or Private Consent Order to include an extension of current probation for four (4) years, substance abuse stipulations, narcotic restrictions and quarterly reports. Mr. Thigpen seconded the motion and it carried unanimously.

RNI080168 – Dr. Barnett moved to refer to the Attorney General's Office for a Hearing or Private Consent Order to include probation for four (4) years, substance abuse stipulations, narcotic restrictions and quarterly reports. Mrs. Keeton seconded the motion and it carried unanimously.

RNI080116 – Mr. Thigpen moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include probation for four (4) years, substance abuse stipulations, narcotic restrictions and quarterly reports. Mrs. Ayers seconded the motion and it carried unanimously.

RNI070342 - Mrs. Wessinger moved to refer to the Attorney General's Office for a Hearing or Private Consent Order to include probation for four (4) years, substance abuse stipulations, narcotic restrictions and quarterly reports. Mrs. Easterly seconded the motion and it carried unanimously.

RNI070242 - Mr. Thigpen moved to refer to the Attorney General's Office for a Hearing or Private Consent Order to include probation for four (4) years, substance abuse stipulations, narcotic restrictions and quarterly reports. Mrs. Lockwood seconded the motion and it carried unanimously.

POSSIBLE VIOLATION OF CONSENT ORDER

(RNI=Registered Nurse Investigative Case Number)

RNI007005 – Dr. Barnett moved to refer to the Attorney General's Office for a Hearing or Revocation based on failure to follow Consent Order. Mrs. Wessinger seconded the motion and it carried unanimously.

NCLEX APPLICATIONS REVIEW

(RNI=Registered Nurse Investigative Case Number)

Application #1085693 – Mrs. Lockwood moved to proceed with Licensure by Examination with a Letter of Concern re: Criminal. Mrs. Ayers seconded the motion and it carried unanimously.

Application #1087475 – Mrs. Keeton moved to refer to the Attorney General's Office for a Hearing or Private Consent Order to include a fine of \$500 for falsification of application and proceed with Licensure by Examination. Mrs. Ayers seconded the motion and it carried unanimously.

POSSIBLE VIOLATION OF CONSENT ORDER

(RNI=Registered Nurse Investigative Case Number)

RNI050248 – Dr. Barnett moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include an extension of current probation for one (1) year, substance abuse stipulations, narcotic restrictions, quarterly reports and a fine of \$500 for violation of a previous Consent Order. Mrs. Wessinger seconded the motion and it carried unanimously.

3801020009 – Mrs. Ayers moved to refer to the Attorney General's Office for a Hearing for a Public Consent Order to include probation for four (4) years, substance abuse stipulations, narcotic restrictions, quarterly reports and a fine of \$1000 for violation of two previous consent orders. Mrs. Lockwood seconded the motion and it carried unanimously.

3801960084/380197240/380100210/3801020078 – Mrs. Wessinger moved to refer to the Attorney General's Office for a Hearing or Revocation based on noncompliance with three (3) previous consent orders. Mrs. Easterly seconded the motion and it carried unanimously.

MENTAL PHYSICAL EVALUATION REVIEW

(RNI=Registered Nurse Investigative Case Number)

RNI060478 – Mrs. Keeton moved to write the nurse a letter stating the MPE order is incomplete. Mrs. Ayers seconded the motion and it carried unanimously.

RNI070406 – Mrs. Wessinger moved to write the nurse a letter stating the MPE order is incomplete. Dr. Barnett seconded the motion and it carried unanimously.

MENTAL PHYSICAL EVALUATION VIOLATION

(RNI=Registered Nurse Investigative Case Number)

RNI060013 – Mr. Thigpen moved to refer to the Attorney General's Office for a Voluntary Surrender or Indefinite Suspension for violation of MPE order. Mrs. Keeton seconded the motion and it carried unanimously.

POSSIBLE VIOLATION OF CONSENT ORDER

(RNI=Registered Nurse Investigative Case Number)

3801980025/3801000136 – Mr. Thigpen moved to refer to the Attorney General's Office for a Hearing or Revocation based on noncompliance with three (3) previous consent orders. Mrs. Keeton seconded the motion and it carried unanimously.

MISCELLANEOUS

(RNI=Registered Nurse Investigative Case Number)

RNI070329 – Mr. Thigpen moved to send to Investigations to issue a Cease & Desist Order. Mrs. Keeton seconded the motion and it carried unanimously.

RNI030302 – Dr. Barnett moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include probation for four (4) years, which the Board may extend based on review, no working with patients under 18 years of age, no working with individuals who are intellectually or psychologically impaired, must work in a supervised setting and follow MPE recommendations. RN may petition the Board to lift the supervised work restriction after two (2) years. Mrs. Ayers seconded the motion and it carried unanimously.

MISCELLANEOUS

Mrs. Easterly moved to rescind the previous Board motion based upon Gwinnett Technical College's statements that its licensed practical nursing program would be discontinued and the Athens Technical College associate degree nursing program satellite would cease to be offered. In addition, the materials related to the 22 and 24 month developmental phase were acceptable. Mrs. Wessinger seconded the motion and it carried unanimously.

Mrs. Easterly moved to grant developmental approval to Gwinnett Technical College for its proposed associate degree nursing program. [410-3-.02 (1)(a)] Mrs. Ayers seconded the motion and it carried unanimously.

Mrs. Wessinger moved to appoint Kellie Lockwood as an Education Cognizant. Mrs. Keeton seconded the motion and it carried unanimously.

Mrs. Wessinger moved to re-elect Linda Herren Board President. Mrs. Ayers seconded the motion and it carried unanimously.

Mrs. Ayers moved to re-elect Karen Wessinger Board Vice President. Mrs. Easterly seconded the motion and it carried unanimously.

APPROVAL OF BOARD MINUTES

Mr. Thigpen moved to approve the July 11-13, 2007 Board Meeting minutes as amended. Dr. Barnett seconded the motion and it carried unanimously.

Mrs. Herren adjourned the meeting at 6:50 p.m.

THURSDAY, SEPTEMBER 20, 2007

MEMBERS PRESENT

Linda Herren, RN, CRNA, President
Delynn Keeton, RN, MN, CPHRM
Susan Ayers, RN, BSN, MPH
Scott Thigpen, RN, MSN, CEN, CCRN
Karen Wessinger, BSHE, Vice President
Linda Easterly, RN, BSN, MSA, MS, COHN-S
Kellie R. Lockwood, RN, MSN

MEMBERS ABSENT

Toni Barnett, RN, Ph.D., FNP-C

STAFF PRESENT

Sandy Bond, RN, MSN, MBA, Executive Director
Deborah Beard, Compliance Manager
Gwen Dodson, Administrative Assistant
Katrina Martin, RN, BSN, COHN-S, Nursing Consultant–Practice
Adrienne Price, RN, MSN, Nursing Consultant – Legal/Discipline

Mrs. Herren called the meeting to order at 8:40 a.m. on Friday, September 21, 2007. A quorum to conduct disciplinary matters was determined to exist.

Mr. Thigpen moved, Mrs. Easterly seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. §§ 43-1-2(k), 43-1-19(h), 43-26-5(c) and 43-26-11, *to deliberate on applications and enforcement matters and to receive information on applications, investigative reports, and pending cases*. The motion passed unanimously. Those who voted to enter into Executive Session: Mrs. Keeton, Mrs. Wessinger, Mrs. Ayers and Mrs. Lockwood.

At the conclusion of Executive Session on Friday, September 21, 2007, Mrs. Herren declared the meeting to be "Open" pursuant to the Open and Public Meetings Act, O.C.G.A. 50-14-1-et.seq.

EXECUTIVE DIRECTOR'S REPORT

Mrs. Bond reported on the following:

- Discussion was held on the Nursing Shortage Committee
- Board Meeting Dates for the year 2008 were presented and approved by the Board
- **FYI-Handout:** Email from Carolyn Chornick (Alabama Board of Nursing) regarding delegation/accountability and also position statements on the administration of Botox.
- **FYI-Handout:** A letter from CDS (Cardiac Disease Specialists, Inc.) regarding the practice of Physician Assistants
- **FYI-Handout:** Cardless Licensure & Listing System by North Carolina Board.

Mrs. Keeton moved to request the GBON staff to investigate how other states can go to the cardless licensure listing system. Mrs. Wessinger seconded the motion and it carried unanimously.

- **FYI-Handout:** Copy of a Letter from a registered nurse to Ken Nugent, Attorney regarding his advertisement ads implying his alliance with nurses
- **Correspondence-Handout:** Letter from Janet Woodcock, MD (Department of Health & Human Services) regarding FDA moving from paper-based to an electronic based environment
- **Correspondence-Handout:** Clinical Nursing Research Volume 16 Number 1 pp. 72-78, February 2007
- **Hand-outs from Composite State Board of Medical Examiners:**
 - Chapter 360-3 Investigations & Discipline
 - Chapter 360-2 Licensure Requirements
 - Chapter 360-5 Physician's Assistants

Mrs. Wessinger moved, Mrs. Keeton seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. §§ 43-1-2(k), 43-1-19(h), 43-26-5(c) and 43-26-11, *to deliberate on applications and enforcement matters and to receive information on applications, investigative reports, and pending cases*. The motion passed unanimously. Those who voted to enter into Executive Session: Mrs. Lockwood, Mr. Thigpen, Mrs. Easterly and Mrs. Ayers.

At the conclusion of Executive Session on Friday, September 21, 2007, Mrs. Herren declared the meeting to be "Open" pursuant to the Open and Public Meetings Act, O.C.G.A. 50-14-1-et.seq.

DISCIPLINARY ACTION BY ANOTHER BOARD

(RNI=Registered Nurse Investigative Case Number)

RNI080100 –Mrs. Ayers moved to refer to the Attorney General's Office for a Hearing or Revocation based on action in another jurisdiction. Mrs. Lockwood seconded the motion and it carried unanimously.

COMPLAINT REVIEW

(RNI=Registered Nurse Investigative Case Number)

RNI080167 –Mrs. Keeton moved to order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant board member and the Legal/Discipline Nurse Consultant. If warranted, refer to the Attorney General's Office for a hearing or consent
September 19-21, 2007 Board Meeting Minutes

order utilizing evaluation results and/or recommendations. If not warranted, proceed with licensure and close the case. Mrs. Lockwood seconded the motion and it carried unanimously.

REINSTATEMENT APPLICATIONS REVIEW

(RNI=Registered Nurse Investigative Case Number)

RNI020265 – Mrs. Wessinger moved to proceed with licensure by Reinstatement. Mrs. Ayers seconded the motion and it carried unanimously.

3801010124RNI030233 – Mrs. Easterly moved to deny licensure based on violation of consent order. Mr. Thigpen seconded the motion and it carried unanimously.

ENDORSEMENT APPLICATIONS REVIEW

(RNI=Registered Nurse Investigative Case Number)

Applicant #999670 – Mrs. Keeton moved to proceed with licensure by Endorsement to include a fine of \$500 for falsification of application. Mr. Thigpen seconded the motion and it carried unanimously.

Applicant #1101599 – Mrs. Keeton moved to proceed with licensure by Endorsement with a Letter of Concern re: Criminal. Mrs. Easterly seconded the motion and it carried unanimously.

NCLEX APPLICATION REVIEW

(RNI=Registered Nurse Investigative Case Number)

RNI080081– Mrs. Lockwood moved to proceed with licensure by Examination. Mrs. Ayers seconded the motion and it carried unanimously.

REINSTATEMENT APPLICATION REVIEW

(RNI=Registered Nurse Investigative Case Number)

3801020125 – Mrs. Wessinger moved to proceed with licensure by Reinstatement to include a fine of \$500 for falsification of application. Mrs. Easterly seconded the motion and it carried unanimously.

REQUEST TO LIFT SUSPENSION

(RNI=Registered Nurse Investigative Case Number)

380198055/3801000246 – Mr. Thigpen moved to refer case to the Attorney General's Office to lift suspension and follow Consent Order. Mrs. Keeton seconded the motion and it carried unanimously.

OPEN RECORDS REQUEST

(RNI=Registered Nurse Investigative Case Number)

RNI060307 – Mrs. Keeton moved to deny request for Open Records secondary to not meeting statutory regulations. Mrs. Easterly seconded the motion and it carried unanimously.

RNI060307 – Mr. Thigpen moved to release application and investigative records to the Massachusetts Board of Nursing. Mrs. Easterly seconded the motion and it carried unanimously.

MISCELLANEOUS

(RNI=Registered Nurse Investigative Case Number)

RNI030191 – Mrs. Lockwood moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include extension of current probation for (2) two years, substance abuse stipulations, narcotic restrictions, quarterly reports and a fine of \$500 for falsification of application. Mrs. Wessinger seconded the motion and it carried unanimously.

RNI020258 – Mrs. Ayers moved to close the case. Mrs. Keeton seconded the motion and it carried unanimously.

LEGAL SERVICES

(RNI=Registered Nurse Investigative Case Number)

RNI080007 – Mrs. Ayers moved to send applicant a letter to uphold previous Consent Order. Mrs. Lockwood seconded the motion and it carried unanimously.

POSSIBLE VIOLATION OF CONSENT ORDER

(RNI=Registered Nurse Investigative Case Number)

RNI050465 – Mr. Thigpen moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include probation for three (3) years, substance abuse stipulations, narcotic restrictions, quarterly reports and a fine of \$500 for falsification of self reports and violation of consent order. Mrs. Ayers seconded the motion and it carried unanimously.

INVESTIGATIONS

(RNI=Registered Nurse Investigative Case Number)

RNI050198/RNI060502 – Mr. Thigpen moved to refer to the Attorney General's Office for a Hearing or Indefinite Suspension based on violation of MPE order. Mrs. Wessinger seconded the motion and it carried unanimously.

APPLICATION REVIEWS AND APPROVAL OF LICENSURE

(RNI=Registered Nurse Investigative Case Number)

Mr. Thigpen moved to accept the Cognizant Report regarding unlicensed/unauthorized practice and refer identified cases to Legal Services for issuance of a Private Consent Agreement. Mrs. Lockwood seconded the motion and it carried unanimously. See attached reports.

APPLICATION REVIEWS AND APPROVAL OF LICENSURE

(RNI=Registered Nurse Investigative Case Number)

T.N. (Applicant #1088041) – Mrs. Easterly moved to refer to Legal Services for a Private Consent Agreement for Reinstatement to include a fine of \$1100 for unlicensed practice. Dr. Barnett seconded the motion and it carried unanimously.

MISCELLANEOUS

Mr. Thigpen moved to appoint Alice Loper to another term as a member of the Advanced Practice Committee. Mrs. Easterly seconded the motion and it carried unanimously.

There being no further business, the meeting adjourned Friday, September 21, 2007 at 10:30 a.m.

Linda Herren, *President*

Sylvia Bond, *Executive Director*

The minutes were recorded by Gwen Dodson, *Administrative Assistant*, and approved November 16, 2007.