

The Georgia Board of Nursing met November 14-16, 2007 in Conference Room 104 at the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217.

WEDNESDAY, NOVEMBER 14, 2007

MEMBERS PRESENT

Linda Herren, RN, CRNA, President
Susan Ayers, RN, BSN, MPH
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
Delynn Keeton, RN, MN, CPHRM

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)

Arnold Robertson

PERSONAL APPEARANCES PRESENT

SM-RNI070471	Personal Appearance
JB-RNI080137	Personal Appearance
JR-RNI070259	Personal Appearance

Mrs. Herren called the meeting to order at 10:05 a.m. on Wednesday, November 14, 2007. A quorum to conduct disciplinary matters was determined to exist.

Mrs. Wessinger 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, November 14, 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

Linda Herren presented the Board with a copy of a letter from Dr. Rhonda Medow, Commissioner of Georgia Department of Community Health, requesting special licensing consideration for retired nurses in order for them to participate in the Department of Community Health's Volunteer Health Care Program. After some discussion, the item was tabled.

INVESTIGATIVE REPORTS

(RNI=Registered Nurse Investigative Case Number)

RNI060067 - Mrs. Ayers moved to close the case. Dr. Barnett seconded the motion and it carried unanimously.

RNI060319 – Mr. Thigpen moved to write the applicant a letter requesting an Outpatient MPE as a condition of the Board's consideration of the application. 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 consent agreement 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.

RNI060344– Dr. Barnett moved to close the case. Mrs. Lockwood seconded the motion and it carried unanimously.

RNI060553 – Mr. Thigpen moved to close the case in Investigations and accept the Private Consent order. Dr. Barnett seconded the motion and it carried unanimously.

RNI060563 – Mrs. Ayers moved to close the case in Investigations, proceed with licensure by Reinstatement and alert the system. Mrs. Wessinger seconded the motion and it carried unanimously.

RNI0070145 – Mr. Thigpen moved to close the case with a Letter of Concern re: Documentation. Mrs. Ayers seconded the motion and it carried unanimously.

RNI070089 – Mrs. Wessinger moved to close the case. Mrs. Ayers seconded the motion and it carried unanimously.

RNI070236 –Mrs. Wessinger moved to close the case with no action. Mr. Thigpen seconded the motion and it carried unanimously.

RNI070302 – Dr. Barnett moved to close the case. Mrs. Ayers seconded the motion and it carried unanimously.

RNI070309 – Mrs. Wessinger 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. Mr. Thigpen seconded the motion and it carried unanimously.

RNI070318 – Dr. Barnett moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include four (4) years probation, substance abuse stipulations, narcotic restrictions and quarterly reports. Mrs. Ayers seconded the motion and it carried unanimously.

RNI070346– Mrs. Wessinger moved to write the applicant a letter requesting an Outpatient MPE as a condition of the Board's consideration of the application. 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 consent agreement 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.

Hall, Jonathan P – Mr. Thigpen moved to accept the Voluntary Surrender. Mrs. Ayers seconded the motion and it carried unanimously.

RNI070351– Mrs. Lockwood 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. Dr. Barnett seconded the motion and it carried unanimously.

RNI070360 – Mrs. Lockwood 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.

RNI070365 – 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. Wessinger seconded the motion and it carried unanimously.

RNI070377 – Mrs. Lockwood moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include four (4) years probation, substance abuse stipulations, narcotic restrictions and quarterly reports. Dr. Barnett seconded the motion and it carried unanimously.

RNI070391 – Mrs. Wessinger moved to close the case and to alert the system. Dr. Barnett seconded the motion and carried unanimously.

RNI070390 – Mrs. Lockwood moved to close the case with a Letter of Concern re: Anger Management. Mrs. Wessinger seconded the motion and it carried unanimously.

RNI070392 – Mrs. Lockwood moved to close the case. Mrs. Ayers seconded the motion and it carried unanimously.

RNI070481 – Mrs. Wessinger moved to close the case with a Letter of Concern re: Substandard Care. Mr. Thigpen seconded the motion and it carried unanimously.

RNI070491 – Mrs. Ayers moved to refer to the Attorney General's Office for a Hearing or Public Consent Order for Substandard care to include a NCSBN course in Ethics and three (3) semester hours in a Board approved Pharmacology course. Dr. Barnett seconded the motion and it carried unanimously.

RNI080001 – 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. Mrs. Lockwood seconded the motion and it carried unanimously.

A discussion took place regarding the turnaround time it takes for cases to be completed by the Investigations Department as well as the substance/clarification of these reports. Mrs. Linda Herren stated she would look into the matter.

MISCELLANEOUS

Mr. Thigpen moved to send a letter to the RN regarding the use of APRN title. Mrs. Lockwood seconded the motion and it carried unanimously.

Mrs. Wessinger moved, Mrs. Ayers 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 and Dr. Barnett.

At the conclusion of Executive Session on Wednesday, November 14, 2007, 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 APPEARANCES

(RNI=Registered Nurse Investigative Case Number)

RNI080004 – The RN did not show for the scheduled personal appearance.

RNI070471 – Mr. Thigpen moved to rescind the previous Board decision and refer to Legal Services for a Private Consent Agreement for Reinstatement to include a fine of \$50 for unlicensed practice. Mrs. Ayers seconded the motion and it carried unanimously.

RNI070400 – The RN did not show for the scheduled personal appearance.

RNI080137 – Mr. Thigpen moved to uphold the previous Board decision. Applicant may reapply upon completion of legal probation which must include six (6) months documented sobriety from AA counselor. Mrs. Ayers seconded the motion and carried unanimously.

RNI070259 – Mr. Thigpen moved to refer to the Attorney General's Office for a Hearing or a Public Consent Order to include probation for two (2) years, narcotic restrictions, quarterly reports and compliance with all conditions in the Colorado Consent Order.

AD HOC COMMITTEE REGARDING REGISTERED NURSE'S ROLE DURING EMERGENCIES, NATURAL DISASTERS & PANDEMICS – SUSAN AYERS

Mrs. Ayers moved to approve Option one (1) with the removal of word "foreign" for the proposed wording of O.C.G.A. §43-26-12 (a). Mrs. Wessinger seconded the motion and it carried unanimously.

A copy of the October 25, 2007 Ad Hoc Committee Conference Call Meeting minutes was presented to the Board.

INVESTIGATIVE REPORTS

(RNI=Registered Nurse Investigative Case Number)

RNI050449/RNI070145 – Mrs. Ayers moved to instruct Investigations to hand serve the docketed consent order within ten (10) business days and close the case. Mrs. Wessinger seconded the motion and it carried unanimously.

RNI070381 – Mr. Thigpen moved to close the case. Mrs. Lockwood seconded the motion and it carried unanimously.

RNI070198 – Mrs. Lockwood 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.

Ward, Sherrie – Mrs. Ayers moved to accept a Cease and Desist Order and refer to the Attorney General's Office for criminal action. Mrs. Wessinger seconded the motion and it carried unanimously.

MISCELLANEOUS

(RNI=Registered Nurse Investigative Case Number)

3801010131 – Mr. Thigpen moved to request Investigations to obtain a Department of Labor search. If employed as a nurse, issue a Cease & Desist Order and refer to the Attorney General's Office in order to proceed with criminal prosecution. Mrs. Wessinger seconded the motion and it carried unanimously.

Mrs. Herren adjourned the meeting at 6:05 p.m.

THURSDAY, NOVEMBER 15, 2007

MEMBERS PRESENT

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

MEMBERS ABSENT

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

Delynn Keeton, RN, MN, CPHRM

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)

Celia Hay	LaGrange College	Maranah Sauter	LaGrange College	Lynn Waits	Macon State College
Rebecca Corvey	Macon State College	Jan Andrews	Macon State College	Sherry Simms	Macon State College
Sheryl Winn	Macon State College	Debbie Greene	Macon State College	Barbara Frizzell	Macon State College
Kay Gatins	Macon State College	Anne Moshtall	Macon State College	Albert Abrams	Macon State College
Lynn Waits	Macon State College	Jay Humphrey	Macon State College	David Bell	Macon State College
Beth Pearson	MCCG	Pat Tipton	Chattahoochee Tech Co.	Ron Dulaney	Chattahoochee Tech Co.
Dawn Hodges	Chattahoochee Tech Co.	Harlon Crimm	Chattahoochee Tech Co.	Sue Otto	Thomas University
Ann Landis	Thomas University	Lisa Beck	DTAE	Erma Heard	GCSU Graduate Student
Mindy Hartley	Houston Healthcare	Aimee Fhey	Coliseum Northside Hosp.	Merita Burney	Coliseum Medical Centers
Susan Smith	Regency Hospital				

Mrs. Herren called the meeting to order at 8:34 a.m. on Thursday, November 15, 2007. A quorum to conduct disciplinary matters was determined to exist.

Mr. Thigpen 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. Wessinger, Mrs. Herren and Dr. Barnett.

At the conclusion of Executive Session on Thursday, November 15, 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)

Applicant #1062046 – Dr. Barnett moved to proceed with Licensure by Examination. Mrs. Wessinger seconded the motion and it carried unanimously.

Applicant #1086849 – Mrs. Wessinger moved to write the applicant a letter requesting an Outpatient MPE as a condition of the Board's consideration of the application. 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 consent agreement utilizing evaluation results and/or recommendations. If not warranted, proceed with licensure and close the case. Mrs. Lockwood seconded the motion and it carried with Mr. Thigpen abstaining.

Applicant #1097154 – Mrs. Lockwood moved to deny licensure based on legal probation. The applicant may reapply after completion of legal probation. Dr. Barnett seconded the motion and it carried unanimously.

Applicant #1090633 – Mrs. Wessinger moved to request applicant make a personal appearance before the Board. Mr. Thigpen seconded the motion and it carried unanimously.

ENDORSEMENT APPLICATIONS REVIEW

(RNI=Registered Nurse Investigative Case Number)

Applicant #1101940 – Dr. Barnett moved to deny licensure by Endorsement based on action in another jurisdiction. The applicant may reapply after completion of the Illinois consent order. Mrs. Lockwood seconded the motion and it carried unanimously.

Applicant #1106037 – Mrs. Wessinger moved to proceed with licensure by Endorsement with a Letter of Concern re: Criminal. Mrs. Lockwood seconded the motion and it carried unanimously.

Applicant #1104120 – Mrs. Lockwood moved to proceed with licensure by Endorsement to include a fine of \$500 for falsification of application. Dr. Barnett seconded the motion and it carried unanimously.

Applicant #1109902 – Mrs. Wessinger moved to proceed with licensure by Endorsement. Mr. Thigpen seconded the motion and it carried unanimously.

NCLEX APPLICATIONS REVIEW

(RNI=Registered Nurse Investigative Case Number)

Applicant #1105847 – Dr. Barnett moved to proceed with licensure by Examination. Mrs. Lockwood seconded the motion and it carried unanimously.

ENDORSEMENT APPLICATIONS REVIEW

(RNI=Registered Nurse Investigative Case Number)

Applicant #1111458 – Mrs. Wessinger moved to proceed with licensure by Endorsement. Mr. Thigpen seconded the motion and it carried unanimously.

Applicant #1084697 – Mrs. Lockwood moved to proceed with licensure by Endorsement. Mr. Thigpen seconded the motion and it carried unanimously.

Applicant #1103487 – Mrs. Lockwood moved to proceed with licensure by Endorsement and a fine of \$500 for falsification of application. Mrs. Wessinger seconded the motion and it carried unanimously.

Applicant #1074748/RNI080054 – Dr. Barnett moved to proceed with licensure by Endorsement. Mrs. Wessinger seconded the motion and it carried unanimously.

Applicant #1090761 – Mrs. Wessinger moved to proceed with licensure by Endorsement. Mr. Thigpen seconded the motion and it carried unanimously.

Applicant #1103465 – Mrs. Lockwood moved to deny licensure until the Board receives verification that the applicant has completed the conditions of the Florida consent order. Upon receipt, proceed with licensure by Endorsement with a fine of \$500 for falsification of application. Dr. Barnett seconded the motion and it carried unanimously.

Applicant #1091134 – Mr. Thigpen moved to proceed with licensure by Endorsement. Mrs. Lockwood seconded the motion and it carried unanimously.

Applicant #1080981/RNI080055 – Mr. Thigpen moved to proceed with licensure by Endorsement. Mrs. Wessinger seconded the motion and it carried unanimously.

REINSTATEMENT APPLICATIONS REVIEW

(RNI=Registered Nurse Investigative Case Number)

Applicant #678686 – Mrs. Lockwood moved to proceed with licensure by Reinstatement. Mrs. Wessinger seconded the motion and it carried unanimously.

3801980084 – Mr. Thigpen moved to proceed with licensure by Reinstatement. Mrs. Ayers seconded the motion and it carried unanimously.

RNI080277 – Mr. Thigpen moved to proceed with licensure by Reinstatement with a fine of \$500 for falsification of application. Dr. Barnett seconded the motion and it carried unanimously.

Applicant #596305 – Dr. Barnett moved to proceed with licensure by Reinstatement. Mrs. Wessinger seconded the motion and it carried unanimously.

RNI070245 – Mr. Thigpen moved to close the case in Investigations and to issue applicant a temporary permit in order to complete a Board approved re-entry course. Mrs. Wessinger seconded the motion and it carried unanimously.

RNI060651 – Mrs. Lockwood moved to proceed with licensure by Reinstatement with a fine of \$500 for falsification of application. Mrs. Wessinger seconded the motion and it carried unanimously.

Applicant #845553 – Mr. Thigpen moved to proceed with licensure by Reinstatement. Dr. Barnett seconded the motion and it carried unanimously.

RNI060394 – Mr. Thigpen moved to close case with a Letter of Concern re: Alcohol. Mrs. Wessinger seconded the motion and it carried unanimously.

MENTAL PHYSICAL EVALUATION REVIEW

(RNI=Registered Nurse Investigative Case Number)

RNI060403 – Mr. Thigpen moved to close the case with a Letter of Concern re: Alcohol. Mrs. Wessinger seconded the motion and it carried unanimously.

RNI060529 – Mrs. Lockwood 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 not reporting felony conviction on Board renewal form. Dr. Barnett seconded the motion and it carried unanimously.

RNI060297 – Mr. Thigpen moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include 4 (four) years probation, narcotic restrictions, quarterly reports, continued psychotherapy, other recommendations of MPE order and a fine of \$500 for violation of previous consent order. Also, RN must work in a supervised setting that does not involve a home health agency or travel assignments. Mrs. Wessinger seconded the motion and it carried unanimously.

RNI070026 – 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. Wessinger seconded the motion and it carried unanimously.

RNI070094 – Mr. Thigpen moved to refer to the Attorney General's Office for a Hearing or Private Consent Order to include (4) four years probation, substance abuse stipulations, narcotic restrictions, quarterly reports, AA Meetings and long-term counseling. Mrs. Wessinger 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
Allen, Julie	Hold pending further information.
Bellflower, Heather	Hold pending further Board review.
Martin, Carla	Lift narcotic restrictions.
RNI040091	Lift narcotic restrictions.

Mrs. Wessinger 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
RNI070153	End probation early due to completion of criminal probation.

Mrs. Wessinger seconded the motion and it carried unanimously.

Mrs. Wessinger 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. Lockwood, Mrs. Herren and Dr. Barnett.

At the conclusion of Executive Session on Thursday, November 15, 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.

MENTAL PHYSICAL EVALUATION REVIEW

(RNI=Registered Nurse Investigative Case Number)

RNI060374 – Dr. Barnett moved to refer to the Attorney General's Office for a Hearing or Private Consent Order to include (4) four years probation and quarterly reports. Mr. Thigpen seconded the motion and it carried unanimously.

RNI060629 – Mrs. Wessinger moved to close the case. Mr. Thigpen seconded the motion and it carried unanimously.

RNI070128 – Mrs. Lockwood moved to proceed with licensure by Endorsement. Dr. Barnett seconded the motion and it carried unanimously.

RNI050359 – Mrs. Wessinger moved to close the case. Mrs. Lockwood seconded the motion and it carried unanimously.

RNI0700098 – Dr. Barnett moved to deny licensure based on MPE recommendations. Mrs. Lockwood seconded the motion and it carried unanimously.

RNI060478 – Mrs. Wessinger moved to close the case with a Letter of Concern re: Alcohol. Mr. Thigpen seconded the motion and it carried unanimously.

RNI060513 – Mrs. Lockwood moved to close the case. Dr. Barnett seconded the motion and it carried unanimously.

RNI070139 – Mrs. Wessinger moved to close the case. Mrs. Ayers seconded the motion and it carried unanimously.

MENTAL PHYSICAL EVALUATION VIOLATION

(RNI=Registered Nurse Investigative Case Number)

RNI050004 – Dr. Barnett moved to refer to the Attorney General's Office for a Hearing for a Voluntary Surrender or Indefinite Suspension based on MPE results. Mrs. Lockwood seconded the motion and it carried unanimously.

RNI030180 – Mrs. Wessinger moved to refer to the Attorney General's Office for a Hearing or an Amended 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 previous Consent Order. Mr. Thigpen seconded the motion and it carried unanimously.

POSSIBLE VIOLATION OF CONSENT ORDER

(RNI=Registered Nurse Investigative Case Number)

RNI050095 – Mrs. Lockwood moved to refer to the Attorney General's Office for a Hearing or an Amended Public Consent Order to include extension of current probation for two (2) years, substance abuse stipulations, narcotic restrictions, quarterly reports and a fine of \$500 for violation of previous Consent Order. Mr. Thigpen seconded the motion and it carried unanimously.

RNI030185 – Mr. Thigpen moved to refer to the Attorney General's Office for a Hearing or an Amended 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 previous Consent Orders. Dr. Barnett seconded the motion and it carried unanimously.

RNI060541 – Dr. Barnett moved to refer to the Attorney General's Office for a Hearing or an Amended Public Consent Order to include probation for four (4) years, substance abuse stipulations, narcotic restrictions, quarterly reports and a fine of \$500 for violation of previous Consent Order. Mrs. Lockwood seconded the motion and it carried unanimously.

3801010159 – Mr. Thigpen moved to refer to the Attorney General's Office for a Hearing for a Voluntary Surrender or Indefinite Suspension based on violation of consent order and medical disabilities. Mrs. Wessinger seconded the motion and it carried unanimously.

RNI030081 – Mrs. Lockwood moved to refer to the Attorney General's Office for a Hearing to include Indefinite Suspension based on violation of consent order. Mr. Thigpen seconded the motion and it carried unanimously.

RNI060633 – Mr. Thigpen moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include probation for two (2) years, substance abuse stipulations, narcotic restrictions, quarterly reports and a fine of \$500 for violation of previous Consent Order. Dr. Barnett seconded the motion and it carried unanimously.

Mrs. Lockwood 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. Wessinger, Mrs. Herren and Mr. Thigpen.

At the conclusion of Executive Session on Thursday, November 15, 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.

INTERNATIONAL APPLICATIONS – JULIA GOULD

SA – Mr. Thigpen moved to notify SA, applicant for licensure by Examination, that in order for her application to be approved, she must complete the Test of English as a Foreign Language (TOEFL) with a result of at least 207 (computer-based) or 76 (internet-based). The test service must be directed to send the results directly to the board office. Mrs. Wessinger seconded the motion and it carried unanimously.

GM – Mrs. Lockwood moved to notify GM that in order for him to be considered as a duly qualified applicant for licensure by examination, he 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)] Dr. Barnett seconded the motion and it carried unanimously.

MR – Mrs. Wessinger moved to notify MR 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)] Dr. Barnett seconded the motion and it carried unanimously.

Mrs. Ayers arrived at the meeting at 1:30 p.m.

DEVELOPING PROGRAMS

Chattahoochee Technical College

Mr. Thigpen moved to accept the following:

1. Developmental approval is granted to the proposed associate degree nursing program at Chattahoochee Technical College. [410-3-.02 (1)(a)]
2. Ten (10) unbound, single-sided copies of Report I must be received in the Board office no later than June 4, 2008 for review at the Board's July 9-11, 2008 meeting. [410-4-.01 (4)]

Mrs. Wessinger seconded the motion and it carried unanimously.

LaGrange College

Dr. Barnett moved to accept the following:

1. Grant Developmental Approval to the reconstituted BSN Program at LaGrange College. [410-3-.02 (1)(a)]
2. Ten (10) unbound, single-sided copies of the addendum to Reports I, II, and III must be received in the Board Office no later than December 10, 2007 for review at the Board's January 16-18, 2008 meeting. [410-3-.02 (1)(b)]

Mr. Thigpen seconded the motion and it carried unanimously.

Macon State College Prelicensure BSN Program

Mr. Thigpen moved to accept the following:

1. Developmental approval is granted to the proposed BSN Program at Macon State College. [410-3-.02 (1)(a)]
2. Ten (10) unbound, single-sided copies of Report I must be received in the Board office no later than April 10, 2008 for review at the Board's May 14-16, 2008 meeting. [410-4-.01 (4)]

Mrs. Wessinger seconded the motion and it carried unanimously.

SITE VISIT REPORTS

Thomas University

Mrs. Lockwood moved that based upon review and documentation of compliance with rules relating to annual reports and the most recent site visit report and recommendations, Full Approval is granted through December 31, 2011. [410-3-.02 (2)(a)] Unless another reason presents itself, the next site visit will be schedule for the 2010-2011 academic year. [410-3-.01 (8)] Mrs. Ayers seconded the motion and it carried unanimously.

OFF-CAMPUS OFFERINGS

Mrs. Lockwood moved to approve Thomas University's plans to offer its RN-BSN Completion off-campus offering at Colquitt Regional Medical Center in Moultrie, Georgia in the Spring 2008. Mrs. Ayers seconded the motion and it carried unanimously.

EDUCATION COMMITTEE-JULIA GOULD

- A discussion was held and a copy of the October 5, 2007 Education Committee Meeting minutes was presented to the Board.

The Board approved the following Site Visits for 2008:

DATE OF VISIT	INSTITUTION	BOARD MEMBER
January 31-February 1, 2008	Augusta State University	Kellie Lockwood
February 14-15, 2008	Georgia State University	Scott Thigpen
February 19-20, 2008	Coastal Georgia Community College	Karen Wessinger
March 6-7, 2008	Northwestern Technical College	Toni Barnett
April 7-8, 2008	Clayton State University	Delynn Keeton
April 17-18, 2008	Columbus State University	Linda Herren

ADVANCED PRACTICE COMMITTEE- DR. BARNETT

Dr. Barnett moved to appoint Dr. Maria Slemmons as a member of the Advanced Practice Committee. Mrs. Ayers seconded the motion and it carried unanimously.

Dr. Barnett moved to appoint Cheryl McRae-Bergeron as a member of the Advanced Practice Committee. Mr. Thigpen seconded the motion and it carried unanimously.

AD HOC COMMITTEE REGARDING REGISTERED NURSE’S ROLE DURING EMERGENCIES, NATURAL DISASTERS & PANDEMICS – SUSAN AYERS

Mrs. Ayers moved to appoint Kitty Bishop as a member of the Ad Hoc Committee to replace Brenda Greene. Dr. Barnett seconded the motion and it carried unanimously.

Mrs. Ayers 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: Mr. Thigpen, Mrs. Wessinger and Dr. Barnett.

At the conclusion of Executive Session on Wednesday, November 15, 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

RNI080280 – Dr. Barnett moved to close the case. Mr. Thigpen seconded the motion and it carried unanimously.

RNI060424 – Mr. Thigpen moved to close the case. Mrs. Wessinger seconded the motion and it carried unanimously.

RNI080212 – Mrs. Ayers 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. Wessinger seconded the motion and it carried unanimously.

RNI080216 – Dr. Barnett moved to close the case. Mr. Thigpen seconded the motion and carried unanimously.

RNI080224 – 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. Mrs. Wessinger seconded the motion and it carried unanimously.

RNI080223 - Mrs. Wessinger 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. Dr. Barnett seconded the motion and it carried unanimously.

MISCELLANEOUS-CORRESPONDENCE

Dean, Sue – Dr. Barnett moved to refer Mrs. Dean to her hospital's legal department for advice and to view the decision tree at the Georgia Board of Nursing website. Mrs. Ayers seconded the motion and it carried unanimously.

MISCELLANEOUS

(RNI=Registered Nurse Investigative Case Number)

RNI080213 – Mrs. Ayers 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. Wessinger seconded the motion and it carried unanimously.

RNI080239 – Dr. Barnett 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. Ayers seconded the motion and it carried unanimously.

MENTAL PHYSICAL EVALUATION VIOLATION

(RNI=Registered Nurse Investigative Case Number)

3801020199 – Mrs. Ayers moved to refer to the Attorney General's Office for a Hearing to include Voluntary Surrender or Indefinite Suspension based on MPE recommendations. Mr. Thigpen seconded the motion and it carried unanimously.

NCLEX APPLICATIONS REVIEW

(RNI=Registered Nurse Investigative Case Number)

RNI060645 – Mrs. Wessinger moved to proceed with licensure by Examination. Mr. Thigpen seconded the motion and it carried unanimously.

MISCELLANEOUS

(RNI=Registered Nurse Investigative Case Number)

RNI030063 – Mr. Thigpen moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include four (4) years probation, substance abuse stipulations, narcotic restrictions, quarterly reports and a fine of \$500 for violation of previous consent order. Mrs. Wessinger seconded the motion and it carried unanimously.

APPLICATION REVIEWS AND APPROVAL OF LICENSURE

(RNI=Registered Nurse Investigative Case Number)

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

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.

Tamara C. Coston, RN155085
Linda F. Schramm, RN140715
Nancy Y. Staten, RN113463

Deborah J Moxley, RN137540
Bridget D Chastain, RN176522
Uvonne Trigger, RN168603

Melody A Wallace, RN185013
Scott J Whyte, RN178177
Katrina D Wright, RN172098

Mrs. Wessinger seconded the motion and it carried unanimously.

CONSENT ORDER-LEGAL SERVICES

(RNI=Registered Nurse Investigative Case Number)

Mr. Thigpen moved to accept the following Private Consent Agreements prepared by Legal Services.

RNI080177	RNI080142	RNI080143	RNI070459	RNI080139
RNI080175	RNI080004	RNI080174	RNI080138	RNI080191
RNI080173	RNI080034	RNI080019	RNI080140	RNI080187
RNI080141	RNI070471	RNI080181		

Dr. Barnett seconded the motion and it carried unanimously.

APPLICATION REVIEWS AND APPROVAL OF LICENSURE

(RNI=Registered Nurse Investigative Case Number)

M.M. (Applicant #1058163) – Mrs. Wessinger moved to refer to Legal Services for a Private Consent Agreement for Reinstatement to include a fine of \$1500 for unlicensed practice. Dr. Barnett seconded the motion and it carried unanimously.

K.B. (Applicant #1353742) – Mrs. Lockwood moved to refer to Legal Services for a Private Consent Agreement for Reinstatement to include a fine of \$1600 for unlicensed practice. Mr. Thigpen seconded the motion and it carried unanimously.

J.K. (Applicant #1102457) – Dr. Barnett moved to refer to Legal Services for a Private Consent Agreement for Reinstatement to include a fine of \$1100 for unlicensed practice. Mr. Thigpen seconded the motion and it carried unanimously.

J.T. (Applicant #1099883) – Mrs. Wessinger moved to refer to Legal Services for a Public Consent Agreement for Reinstatement to include a fine of \$475 for unlicensed practice and a fine for \$500 for falsification of application. Mrs. Lockwood seconded the motion and it carried unanimously.

L.L. (Applicant #1091535) – Mrs. Ayers moved to request applicant to provide an explanation for not completing the Kennesaw re-entry program before considering proposal at Alpha Nursing. Mrs. Wessinger seconded the motion and it carried unanimously.

MISCELLANEOUS

Mrs. Lockwood moved to send a letter to Southwest Medical Center referring them to the Georgia Board of Nursing website to review the decision tree and adopt facility guidelines addressing policies and education required for staff participation in a "bubble test." Mrs. Ayers seconded the motion and it carried unanimously.

LEGAL SERVICES

(RNI=Registered Nurse Investigative Case Number)

RNI080184 – Mrs. Ayers moved to rescind the previous Board decision and change the fine to \$250 for unlicensed practice. Mrs. Wessinger seconded the motion and it carried unanimously.

RNI080183 – Mr. Thigpen moved to rescind the previous Board decision and change the fine to \$250 for unlicensed practice. Mrs. Ayers seconded the motion and it carried unanimously.

RNI080185 – Mrs. Lockwood moved to rescind the previous Board decision and change the fine to \$250 for unlicensed practice. Mrs. Wessinger seconded the motion and it carried unanimously.

A discussion took place with Legal Services regarding the calculation of fines for unlicensed practice. The Board determined that regarding reinstatements, the fine calculation will end when all application information has been received in the Board office and not when the temporary license is issued. The Board also determined that regarding endorsements, the fine calculation will end when the temporary license is issued.

MENTAL PHYSICAL EVALUATION VIOLATION

(RNI=Registered Nurse Investigative Case Number)

RNI060138– Mr. Thigpen moved to refer to the Attorney General's Office for a Hearing to include Voluntary Surrender or Indefinite Suspension based on violation of MPE Order. Mrs. Wessinger 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 September, 2007 through October, 2007 that were determined, pursuant to Board approved guidelines, to have met licensure/authorization requirements. See attached reports.

EXECUTIVE DIRECTOR'S REPORT

Mrs. Bond reported on the following:

- Email from Lorinda Inman, Iowa Board of Nursing, regarding fraudulent license.

G.I. Applicant #987007 – Mrs. Lockwood moved to deny licensure based on action in other jurisdictions and falsification of application. Mrs. Wessinger seconded the motion and it carried unanimously.

G.I. Applicant #987007 – Mrs. Lockwood moved to authorize the executive director of the Georgia Board of Nursing to alert other state licensing boards and law enforcement agencies regarding fraudulent nursing applications. Mrs. Ayers seconded the motion and it carried unanimously.

- ***FYI-Handout:*** An email from Kathy Apple of NCSBN regarding the Montana Supreme Court ruling in the favor of the Montana Board of Nursing – Suit filed by Montana Anesthesiologists requiring physician supervision over CRNAs.
- ***FYI-Handout:*** A copy of the new design for the Secretary of State website.
- ***FYI-Handout:*** A copy of the proposed Georgia Board of Nursing Newsletter.

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 and Mrs. Wessinger.

At the conclusion of the Executive Session on Thursday, November 15, 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)

RNI020258 – Mrs. Lockwood moved to close the case and alert the system. Mr. Thigpen seconded the motion and it carried unanimously.

3801010065 – Dr. Barnett moved to close the case. Mrs. Ayers seconded the motion and it carried unanimously.

RNI040083 – Dr. Barnett moved to close the case. Mr. Thigpen seconded the motion and it carried unanimously.

RNI040083 - Mrs. Ayers moved to close the case. Mrs. Wessinger seconded the motion and it carried unanimously.

RNI060517 - Mrs. Ayers moved to close the case. Dr. Barnett seconded the motion and it carried unanimously.

INVESTIGATIVE INTERVIEWS

(RNI=Registered Nurse Investigative Case Number)

RNI080058 – Mrs. Lockwood moved to uphold the previous Board decision for a fine of \$900 for unlicensed practice. Dr. Barnett seconded the motion and it carried unanimously.

RNI080058 – Mrs. Lockwood moved to deny extension of the temporary permit. Mrs. Ayers seconded the motion and it carried unanimously.

RNI080024 – Mrs. Lockwood moved to rescind previous Board motion and proceed with licensure by Endorsement with a Letter of Concern re: Documentation of Employment on Application. Dr. Barnett seconded the motion and it carried unanimously.

MISCELLANEOUS

(RNI=Registered Nurse Investigative Case Number)

RNI080186 – Mr. Thigpen moved to rescind the previous Board motion for a fine of \$250 for unlicensed practice and change the fine to \$200 for unlicensed practice. Mrs. Ayers seconded the motion and it carried unanimously.

RNI080078 – Mrs. Wessinger moved to fine \$250 for unlicensed practice. Mr. Thigpen seconded the motion and it carried unanimously.

RNI060553 – Mrs. Wessinger moved to accept the Consent Order. Mr. Thigpen seconded the motion and it carried unanimously.

RNI070009 – Mrs. Wessinger moved to fine \$150 for unlicensed practice. Mr. Thigpen seconded the motion and it carried unanimously.

RNI060014 – Mrs. Wessinger moved to refer to the Attorney General's Office for a Hearing or an Amended 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 previous consent order. Mrs. Ayers seconded the motion and it carried unanimously.

ATTORNEY GENERAL'S OFFICE

Mrs. Ayers moved to send Governor Sonny Perdue a letter regarding support, input and suggestions about how to get a statute change in the Nurse Practice Act, O.C.G.A. §43-26-12 (a) (9). Mrs. Lockwood seconded the motion and it carried unanimously.

Mrs. Herren adjourned the meeting at 5:50 p.m.

FRIDAY, NOVEMBER 16, 2007

MEMBERS PRESENT

Linda Herren, RN, CRNA, President
Susan Ayers, RN, BSN, MPH
Karen Wessinger, BSHE, Vice President
Kellie R. Lockwood, RN, MSN
Toni Barnett, RN, Ph.D., FNP-C

MEMBERS ABSENT

Linda Easterly, RN, BSN, MSA, MS, COHN-S
Delynn Keeton, RN, MN, CPHRM
Scott Thigpen, RN, MSN, CEN, CCRN

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

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

Marbury Stegall

Mrs. Herren called the meeting to order at 8:45 a.m. on Friday, November 16, 2007. A quorum to conduct disciplinary matters was determined to exist.

Dr. Barnett moved, Mrs. Ayers 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. Wessinger, Mrs. Herren and Mrs. Lockwood.

At the conclusion of the Executive Session on Friday, November 16, 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.

PUBLIC RULES HEARING – RULE 410-11-.03

Discussion – Visitors Present:

A discussion took place between Mrs. Stegall and the Board regarding the main feature of the proposed Rule 410-11-.03.

Mrs. Lockwood moved to adopt Rule 410-11-.03. Dr. Barnett seconded the motion and it carried unanimously.

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).

PUBLIC RULES HEARING – RULE 410-13-.01 & .02

Discussion – Visitors Present:

A discussion was held regarding Rule 410-13-.01 & .02 with Mrs. Stegall who posed questions regarding the main feature and purpose of the rule.

Correspondence:

A fax was received on November 6, 2007 from Wendy Hill Park, APRN commenting on her disagreement with the increased restrictions on nurse protocols and prescriptive authority as promulgated by the Composite State Board of Medical Examiners.

Mrs. Ayers moved to change the wording of the main feature regarding Rule 410-13-.01 and to change the purpose of Rule 410-13-.01. The main feature should read as follows: "The main feature of this rule is to clarify protocol use by advanced practice

registered nurses as authorized by O.C.G.A. §43-34-26.1." The purpose should read as follows: "The purpose of this rule revision is to update and clarify protocol use by advanced practice registered nurses." Dr. Barnett seconded the motion and it carried unanimously.

Mrs. Ayers moved to vote to repost Rule 410-13-.01 with changes noted:

- Chapter title to include Advanced Practice before registered nurse.
- Remove one (1) of the § symbols in the rule title.
- In paragraph 2 (b) add "practice" after advanced and omit agreement at the end of the paragraph.
- In paragraph 2 (c) change to read as follows "adhere to a nurse protocol which is a written document mutually agreed upon"
- In paragraph 3 (b) omit the semicolon after request and separate the word "maybe" to "may be".
- In paragraph 3 (c) insert the word provisions after include.

Dr. Barnett seconded the motion and it carried unanimously.

Mrs. Ayers moved to vote to repost Rule 410-13-.02 with changes noted:

- Delete the word revision from the purpose statement, put § symbol in front of the law code and end sentence with a period.
- Delete the words " who issue prescription drug orders" and replace with "as authorized by O.C.G.A. §43-34-26.3.
- Delete one of the § symbol from the title of the rule.

Dr. Barnett seconded the motion and it carried unanimously.

NOTICE OF INTENT TO AMEND A RULE, ADOPT A NEW RULE AND AMEND THE TITLE OF CHAPTER 410-13 OF THE RULES OF 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-.01, to adopt new Rule 410-13-.02, and to amend the title of Chapter 410-13 of the Rules of the Georgia Board of Nursing. The proposed rule amendments and new chapter title are intended to clarify the use of protocols by Advanced Practice Registered Nurses authorized under O.C.G.A. §§43-34-26.1 and 43-34-26.3.

This notice, together with an exact copy of the proposed amended rule, new rule, and the amended chapter title, together 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), new rule and amended chapter title 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's office at (478) 207-2440.

A public hearing is scheduled to be held at 9:00 a.m. on January 18, 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 amended rule, new rule and amended chapter title. 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 January 11, 2007. Written comments should be addressed to Randall D Vaughn, 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, new rule and amended chapter title will be considered for adoption by the Georgia Board of Nursing at its meeting scheduled to begin at 9:05 a.m. January 18, 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 meeting on November 16, 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 meeting on November 16, 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.

Randall D Vaughn
Division Director
PROFESSIONAL LICENSING BOARDS

Posted: _____

**SYNOPSIS OF PROPOSED REVISIONS TO THE
GEORGIA BOARD OF NURSING RULES
CHAPTER 410-13
REGULATION OF PROTOCOL USE BY REGISTERED NURSES**

PURPOSE: The purpose of the proposed amendments to the title of Chapter 410-13 is to accurately reflect the contents of the proposed amended and new rules contained in the chapter.

MAIN FEATURE: The main feature of the proposed amendments is to clarify that the rules in the chapter regulate protocol use by advanced practice nurses who use protocols authorized by O.C.G.A. §43-34-26.1 and 43-34-26.3.

**DIFFERENCES BETWEEN THE EXISTING TITLE AND THE PROPOSED AMENDMENTS TO THE
TITLE OF CHAPTER 410-13 OF THE GEORGIA BOARD OF NURSING**

Note: Underline text is proposed to be added; lined through text is proposed to be deleted.

CHAPTER 410-13: REGULATION OF PROTOCOL USE BY ADVANCED PRACTICE REGISTERED NURSES.

**SYNOPSIS OF PROPOSED REVISIONS TO THE
GEORGIA BOARD OF NURSING RULES
CHAPTER 410-13**

RULE 410-13-.01

PURPOSE: The purpose of this rule revision is to update and clarify protocol use by advanced practice registered nurses.

MAIN FEATURE: The main feature of this rule is to clarify protocol use by advanced practice registered nurses as authorized by O.C.G.A. §43-34-26.1.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS TO THE GEORGIA
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. AMENDED.**

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

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 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 practice registered nurse in Georgia;

(c) adhere to a written nurse ~~(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 provisions 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;~~

~~(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; and~~

~~(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.~~

~~(4) A registered nurse who dispenses dangerous drugs must:~~

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

~~(b) document preparation and performance specific to dispensing dangerous drugs based on a written dispensing procedure;~~

~~(c) adhere to a written dispensing procedure when dispensing dangerous drugs as defined in O.C.G.A. §43-34-26.1 (a)(3.1).~~

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

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

RULE 410-13-.02

PURPOSE: The purpose of this rule is to update and clarify protocol use by advanced practice registered nurses.

MAIN FEATURE: The main feature of this rule is to clarify protocol use by advanced practice registered nurses as authorized by O.C.G.A. §43-34-26.3.

DIFFERENCES BETWEEN ANY EXISTING RULE AND THE PROPOSED NEW RULE TO BE ADDED TO THE GEORGIA BOARD OF NURSING RULES, CHAPTER 410-13: REGULATION OF PROTOCOL USE BY REGISTERED NURSES;

PROPOSED NEW 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: This rule is proposed to be adopted by the Georgia Board of Nursing as a new rule. The new rule does not amend or repeal any existing rule. All language in the proposed new rule below is new and is therefore underlined.

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 (a).

Mrs. Wessinger 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 accomplish the objectives of the applicable laws. Dr. Barnett seconded the motion and it carried unanimously.

MISCELLANEOUS

The Board and Mrs. Stegall discussed the issue of Psych/Clinical Nurse Specialists wanting to practice and be recognized in Georgia as Advanced Practice Nurses. Mrs. Stegall commented that a CNS in psych/mental health has a case load functioning in an advanced practice nurse role with hands-on patient care while working independently; therefore it is likely that these CNSs will soon have another title and practice as an advanced practice nurse.

APPROVAL OF BOARD MINUTES

Mrs. Wessinger moved to approve the September 19-21, 2007 Board Meeting minutes as amended. Mrs. Ayers seconded the motion and it carried unanimously.

Mrs. Wessinger moved to approve the October 15, 2007 Conference Call Board Meeting minutes as amended. Mrs. Lockwood seconded the motion and it carried unanimously.

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. Herren, Dr. Barnett and Mrs. Ayers.

At the conclusion of Executive Session on Friday, November 16, 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.

INVESTIGATIONS

(RNI=Registered Nurse Investigative Case Number)

RNI060486 – Mrs. Ayers moved to hold the case until the Department of Labor report search is received and refer to the Cognizant Board member for review. Mrs. Wessinger seconded the motion and it carried unanimously.

RNI060469 – Dr. Barnett moved to send a certified letter to the APRN requesting a notarized copy of the collaborative practice agreement between the APRN and the collaborating physician. The Georgia Board of Nursing will review the case after receipt of additional information. Mrs. Wessinger seconded the motion and it carried unanimously.

CONSENT AGREEMENTS/ORDERS – ATTORNEY GENERAL'S OFFICE

(RNI=Registered Nurse Investigative Case Number)

Mrs. Ayers 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.

Allen, Jane	RNI080067	RNI070412	Troemel, Jason	RNI070109
RNI060644	RNI070102	RNI080048	McPadden, Karen	Manuel, Roy
Bailey, Jill	Belflower, Heather	RNI070221	Horne, Benjamin	Bolnick, Mary
RNI080170				

Mrs. Wessinger seconded the motion and it carried unanimously.

Graham, Linda - Mrs. Ayers moved to accept the Voluntary Surrender. Mrs. Wessinger seconded the motion and it carried unanimously.

Demott, Carole – Mrs. Lockwood moved to accept the Voluntary Surrender. Dr. Barnett seconded the motion and it carried unanimously.

Hannon, Amber – Mrs. Lockwood moved to accept the Voluntary Surrender. Mrs. Wessinger seconded the motion and it carried unanimously.

RNI080053 – Mrs. Lockwood moved to write the applicant a letter requesting a MPE as a condition of the Board's consideration of the application. 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 consent agreement 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.

RNI030125 – Dr. Barnett moved to have the case reviewed by a second Peer Reviewer. Mrs. Ayers seconded the motion and it carried unanimously.

RNI060491 – Mrs. Ayers moved to allow the nurse to remain with the current home health agency for employment but nurse must submit at least three (3) random drug screen reports each quarter. A positive drug screen will immediately terminate approval. Dr. Barnett seconded the motion and it carried unanimously.

RNI060331 – Mrs. Lockwood moved to close the case. Mrs. Wessinger seconded the motion and it carried unanimously.

3801990097 – Mrs. Ayers moved to approve a telephone interview. Mrs. Wessinger seconded the motion and it carried unanimously.

Mrs. Lockwood moved to allow the Assistant Attorney General to present a Memorandum of Advice by email regarding supervision of physician assistant students by CRNAs. Mrs. Wessinger seconded the motion and it carried unanimously.

MISCELLANEOUS

(RNI=Registered Nurse Investigative Case Number)

RNI080303 – Dr. Barnett moved to close the case and take no action. Mrs. Ayers seconded the motion and it carried unanimously.

RNI080220 – Mrs. Lockwood moved to close the case with a Letter of Concern re: Anger Management, Ethics & Unprofessional Conduct. Mrs. Wessinger seconded the motion and it carried unanimously.

RNI080285 – Mrs. Ayers moved to close the case. Dr. Barnett seconded the motion and it carried unanimously.

There being no further business, the meeting adjourned Friday, November 16, 2007 at 12:45 p.m.

Linda Herren, *President*

Sylvia Bond, *Executive Director*

The minutes were recorded by Gwen Dodson, *Administrative Assistant*, and approved _____.