

The Georgia Board of Examiners of Licensed Practical Nurses met November 5-6, 2008 in Conference Room 102 at the Professional Licensing Boards Division, 237 Coliseum Drive, Macon Georgia 31217.

**WEDNESDAY, NOVEMBER 5, 2008**

**MEMBERS PRESENT**

Jane Harte, LPN, President  
Barbara Mitchell, RN, NHA, Vice President  
Mary Lynn Owensby, LPN, Cognizant  
Vicky Mack, RN, MSN Education Member  
Jacqueline Barnes, LPN  
LeAnn Tuggle, Consumer Member

**MEMBERS ABSENT**

Judy Hilliard, LPN

**STAFF PRESENT**

Sandy Bond, RN, MSN, MBA, Executive Director  
Adrienne Price, RN, MSN, Nursing Consultant – Legal/Discipline  
Katrina Martin, RN, BSN, COHN-S, Licensing Supervisor  
Marcia L. Stevens, BSN, Nursing Consultant – Education  
Gwendolyn Dodson, Administrative Assistant  
Ronjalyn Bond, Licensing Analyst  
Crystal Jackson, Licensing Analyst  
Casey Pippin, Licensing Analyst  
Sonya Williams, Staff Attorney, Legal Services  
Janet Jackson, Assistant Attorney General, Via Video Conference  
Pam Candler, Board Support Specialist

**PERSONAL APPEARANCES**

RJ-LPNI060022	Personal Appearance
AV-LPNI090072	Personal Appearance

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

Hattie O'Bryant, Liaison

Mrs. Harte called the meeting to order at 9:10 a.m. on Wednesday, November 5, 2008. A quorum to conduct disciplinary matters was determined to exist.

**AGENDA**

Mrs. Barnes moved to accept the agenda. Mrs. Owensby seconded the motion and it carried unanimously.

**EXECUTIVE DIRECTOR'S REPORT**

Mrs. Bond presented a brief departmental organizational overview, introducing staff members and outlining each individual's function.

New Board Meeting dates need to be selected because they are currently scheduled one week before the Registered Nursing Board's meeting dates and Mrs. Bond felt that due to the preparation time, and follow-up activities, it would be better to stagger the schedule.

Proposed new board meeting dates are:

February 18 – 20, 2009

April 15 – 16, 2009

June 3 – 5, 2009

August 19-20, 2009

October 14-15, 2009

December 9 – 10, 2009

The June 3 – 5, 2009 meeting date is tentative due to the need of ascertaining each school's graduation schedule.

### **ADMINISTRATIVE ASSISTANT'S REPORT**

Mrs. Dodson presented information to the Board on preparing a motion sheet for each motion as it is made, including the action taken by the Board, who made the motion and who seconded the motion. These motion sheets are used by the Board Support Specialist for preparation of the Minutes.

### **ELECTION OF OFFICERS**

Mrs. Tuggle moved to elect Barbara Mitchell as Board President. Mrs. Owensby seconded the motion and it carried unanimously.

Mrs. Mitchell moved to elect Jane Harte as Vice President. Mrs. Mack seconded the motion and it carried unanimously.

Mrs. Mitchell moved to elect Vicky Mack as Cognizant Member. Mrs. Owensby seconded the motion and it carried unanimously.

### **QUALIFIED MEDICATION AIDE STATUS REPORT**

Mrs. Mitchell was unable to attend the last Qualified Medication Aide Conference Call. There is currently no one enrolled in the program. Some have taken the aptitude test, but no one has passed. Southwest Georgia Technical College is not an approved provider.

### **LIAISON REPORT**

Mrs. Hattie O'Bryant gave a brief report on the Licensed Practical Nurses Association Convention held in Albany, Georgia. She stated that everyone was disappointed that there was no one from the Board Office in attendance at the meeting, but understood about the budget constraints on travel. LPN day at the Capitol is scheduled for February 11, 2009 and she urged everyone to attend and make their voices heard with their respective Legislators. Mrs. O'Bryant then left the meeting.

### **EXECUTIVE SESSION**

Mrs. Barnes moved and Mrs. Mack 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. Mitchell, Mrs. Barnes, Mrs. Mack, Mrs. Tuggle and Mrs. Owensby.

At the conclusion of Executive Session on Wednesday November 5, 2008, Mrs. Harte declared the meeting to be "open" pursuant to the Open and Public Meetings Act, O.C.G.A. 50-14-1 *et seq.*

### **OPEN RECORDS REQUEST**

(LPNI = Licensed Practical Nurse Investigative Case Number)

**LPNI090051** - Mrs. Barnes moved to deny request for any additional information. Mrs. Tuggle seconded the motion and it carried unanimously.

## LEGAL SERVICES

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPN090012 - Mrs. Mack moved to uphold previous Board Decision that the Consent Agreement stands. Mrs. Barnes seconded the motion and it carried unanimously.

## REINSTATEMENT APPLICATION REVIEW

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI090065 - Mrs. Mack moved that applicant must complete a MPE before licensure. Mrs. Barnes seconded the motion and it carried unanimously.

## INVESTIGATIONS

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI080141 - Mrs. Owens moved to order Licensee to have Outpatient MPE. Results are to be reviewed by the Board Member. If warranted, refer to Attorney General's office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Mrs. Tuggle seconded the motion and it carried unanimously.

LPNI070108 - Mrs. Barnes moved to close the case with a Letter of Concern re: Substandard Care. Mrs. Mack seconded the motion and it carried unanimously.

LPNI070079 - Mrs. Tuggle moved to order licensee to have Outpatient MPE. Results are to be reviewed by the Board Member. If warranted, refer to Attorney General's office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Mrs. Owensby seconded the motion and it carried unanimously.

LPNI070079 - Mrs. Tuggle moved to close the case. Mrs. Owensby seconded the motion and it carried unanimously.

LPNI080036 - Mrs. Barnes moved to close the case with a Letter of Concern re: Substandard Care. Mrs. Mack seconded the motion and it carried unanimously.

## NOTICE OF BORROWER DEFAULT ON REPAYMENT OF STUDENT LOANS

Mrs. Mack moved to suspend the following license(s) to practice as a licensed practical 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. Mrs. Owensby seconded the motion and it carried unanimously.

Sylvia D. Gilchrist, LPN063057

Vernice M. Gay, LPN050128

Mrs. Janet Jackson, Assistant Attorney General, joined the meeting via Video Conference.

## PERSONAL APPEARANCES

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI060022 - Mrs. Owensby moved to pend this reinstatement while applicant obtains a letter from his Probation Officer, rehabilitation group that he is attending and letters of support from his church members, employer and support group. Mrs. Barnes seconded the motion and it carried unanimously.

## APPLICATIONS REVIEW

(LPNI = Licensed Practical Nurse Investigative Case Number)

G.D., (Applicant #1153658) - Mrs. Tuggle moved to deny licensure based on the inability to determine if clinical/theory hours are equal to or exceed Georgia's requirements. Mrs. Barnes seconded the motion and it carried unanimously.

U.E., (Applicant #1161944) - Mrs. Mack moved to deny licensure based on O.C.G.A. §43-26-37. Mrs. Tuggle seconded the motion and it carried unanimously.

G.J., (Applicant #1162947) - Mrs. Owensby moved to deny licensure based on O.C.G.A. § 43-26-37. Mrs. Barnes seconded the motion and it carried unanimously.

V.W., (Applicant #1101519) - Mrs. Mitchell moved to pend this application and await the credential evaluation from CGFNS. Mrs. Owensby seconded the motion and it carried unanimously.

A.W., (Applicant #1147947) - Mrs. Barnes moved to approve this application for licensure. Mrs. Tuggle seconded the motion and it carried unanimously.

S.A., (Applicant #1123600) - Mrs. Mitchell moved to pend this application and await court documents and information regarding felony charges. Mrs. Tuggle seconded the motion and it carried unanimously.

G.C., (Applicant #1034938) - Mrs. Barnes moved to deny licensure based on the absence of an active license in another state in order to endorse licensure in Georgia. Mrs. Tuggle seconded the motion and it carried unanimously.

A.C., (Applicant #1163232) - Mrs. Owensby moved to proceed with licensure by NCLEX-PN Examination. Mrs. Mack seconded the motion and it carried unanimously.

J.L., (Applicant #1121368) - Mrs. Barnes moved to proceed with licensure by Endorsement. Mrs. Mack seconded the motion and it carried unanimously.

(Applicant #1164237) - Mrs. Owensby moved to approve applicant to sit for NCLEX-PN licensure examination. Mrs. Mack seconded and the motion carried unanimously.

S.B., (Applicant # 1164241) - Mrs. Mack moved to refer application to Legal Services for a Public Consent Agreement with a fine of \$1700 for unlicensed practice and proceed with licensure upon receipt of signed order and fine. Mrs. Barnes seconded the motion and it carried unanimously.

R.P., (Applicant #1153288) - Mrs. Mack moved to close the case with a Letter of Concern re: Failure to report two arrests for driving with a suspended license and proceed with licensure by Examination. Mrs. Barnes seconded the motion and it carried unanimously.

#### APPLICATION REVIEWS AND APPROVAL OF LICENSURE

Mrs. Mack moved, Mrs. Owensby seconded and the Board voted to approve applications for licensure for the months of September, 2008 and October, 2008 that were determined, pursuant to Board approved guidelines, to have met licensure/authorization requirements. See attached reports.

#### INVESTIGATIVE INTERVIEW

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPN090060 - Mrs. Mitchell moved to request respondent in case and her attorney to keep board informed of criminal procedures and to write applicant a letter requesting a MPE as a condition of the Board's consideration of the application. Results are to be reviewed by the Board. If warranted, refer to 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. Barnes seconded the motion and it carried unanimously.

#### MENTAL/PHYSICAL EXAMINATION ORDERS

Mrs. Tuggle moved that in the interest of time, that Janet Jackson be allowed to type in the President's name and request that the Division Director sign all future orders for Mental/Physical Examinations. Mrs. Barnes seconded the motion and it carried unanimously.

## PERSONAL APPEARANCES

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI090072 - Mrs. Mack moved to issue a temporary permit to complete the clinical portion of her refresher program and issue license upon successful completion of refresher program. Mrs. Mitchell seconded the motion and it carried unanimously.

There being no further business to come before the board, Mrs. Harte adjourned the meeting at 5:15 p.m.

## THURSDAY, NOVEMBER 6, 2008

### MEMBERS PRESENT

Jane Harte, LPN, President  
Barbara Mitchell, RN, NHA, Vice President  
Mary Lynn Owensby, LPN, Cognizant  
Vicky Mack, RN, MSN Education Member  
Jacqueline Barnes, LPN  
LeAnn Tuggle, Consumer Member

### MEMBERS ABSENT

Judy Hilliard, LPN

### STAFF PRESENT

Sandy Bond, RN, MSN, MBA, Executive Director  
Adrienne Price, RN, MSN, Nursing Consultant – Legal/Discipline  
Katrina Martin, RN, BSN, COHN-S, Licensing Supervisor  
Marcia L. Stevens, BSN, Nursing Consultant – Education  
Gwendolyn Dodson, Administrative Assistant  
Janet Jackson, Assistant Attorney General Pam Candler, Board Support Specialist

## PERSONAL APPEARANCES

JR-LPNI090062                      Personal Appearance

Mrs. Harte called the meeting to order at 9:05 a.m. on Thursday, November 6, 2008. A quorum to conduct disciplinary matters was determined to exist.

## APPROVAL OF BOARD MEETING DATES

Mrs. Owensby moved to approve the LPN Board meeting dates for 2009, designating April 17, 2009 as the Public meeting. Mrs. Barnes seconded the motion and it carried unanimously.

## EXECUTIVE SESSION

Mrs. Mitchell moved and Mrs. Barnes 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. Mitchell, Mrs. Barnes, Mrs. Mack and Mrs. Owensby.

At the conclusion of Executive Session on Thursday November 6, 2008, Mrs. Harte declared the meeting to be "open" pursuant to the Open and Public Meetings Act, O.C.G.A. 50-14-1 *et seq.*

## **RULES WAIVER PETITION – JEFF CARPENTER**

**Carpenter, Jeff** - Mrs. Mack moved to deny petition for waiver of rule 400-2-.02 (3) because applicant did not graduate from a nursing program. Law O.C.G.A. 43-26-36 (c) Mrs. Owensby seconded the motion and it carried unanimously.

## **RULES WAIVER PETITION – RENATHA TELFER**

**Telfer, Renatha** - Mrs. Barnes moved to deny petition for waiver of Rule 400-2-.05(6) based on the applicant does not meet the eligibility requirements and has not successfully passed the NCLEX-PN within five years of graduation from a nursing program. Mrs. Owensby seconded the motion and it carried unanimously.

## **EDUCATION CONSULTANT'S REPORT- MARCIA STEVENS**

### **ALTAMAHA TECHNICAL COLLEGE, JESUP**

Requests acceptance of Practical Nursing Program Site Visit Response

### **ATHENS TECHNICAL COLLEGE, ATHENS**

E.C. requests tentative date for routine site visit.

### **ATLANTA TECHNICAL COLLEGE, ATLANTA**

Faculty changes: removal of 01 from the N.F.S.S.; addition of 03 full-time nursing faculty members. Program reports a discrepancy in the N.F.Q.R. for Dr. Jackie E. Williams and will submit a corrected NFQR to the Board. N.F.S.S. lists a total of 16: 13F/T (09 instructors for NSG and NPT courses and 04 instructors for AHS, MAS courses) and 03P/T (02 instructors for NSG & NPT courses; and 01 instructor for HCT courses).

### **BAINBRIDGE COLLEGE – EARLY COUNTY, BLAKELY**

Report V for new nursing education program development

E.C. Requests acceptance of Practical Nursing Program Site Visit Report

### **CENTRAL GEORGIA TECHNICAL COLLEGE, MACON**

Faculty changes: removal of 01, addition of 02; N.F.S.S. lists 8F/T and 8P/T.

### **CENTRAL GEORGIA TECHNICAL COLLEGE – BALDWIN COUNTY, MILLEDGEVILLE**

Submits tentative date for routine site visit November, December, January, or February.

### **COLUMBUS TECHNICAL COLLEGE, COLUMBUS**

Submits tentative date for routine site visit January, February, or March.

### **COOSA VALLEY TECHNICAL COLLEGE, ROME**

Preceptor changes; P.Q.R. X21;

Addition of 03 Preceptors; Preceptor Summary Sheet lists 66.

### **DALTON STATE COLLEGE, DALTON**

Preceptor changes; P.Q.R. X02; P.S.S. lists 34

### **DEKALB TECHNICAL COLLEGE, CLARKSTON**

Submits tentative dates for routine site visit.

Requests that both site codes remain open until the end of the year. At the beginning of the year, DeKalb Technical College will request the termination of one of its site codes.

### **DEKALB TECHNICAL COLLEGE – NEWTON COUNTY, COVINGTON**

"...would like to keep both (NCSBN Program) codes open until the end of the year..."

E.C. requests tentative date for routine site visit.

Preceptor changes: addition of 01; **Need P.S.S.**

**EAST CENTRAL TECHNICAL COLLEGE, FITZGERALD**

Resignation of one clinical instructor effective October 1, 2008. Resignation of one full time nursing instructor effective October 1, 2008. Change in status for one from part-time clinical instructor to a fulltime instructor. Nursing Faculty Qualification Record for addition one part-time clinical instructor. Nursing Faculty Summary Sheet lists six: five full-time and one part-time.

**EAST CENTRAL TECHNICAL COLLEGE – COFFEE COUNTY, DOUGLAS**

Tentative date for Practical Nursing Program Site Visit is Monday, January 26, 2009.

Removal of one nurse from the Nursing Faculty Summary Sheet; change in status for one from a scheduled clinical instructor to an unscheduled substitute clinical instructor; and Nursing Faculty Qualification Record for addition of one as P/T instructor.

N.F.S.S. lists four full-time and four part-time that includes two part-time clinical instructors and two unscheduled clinical substitutes.

**FLINT RIVER TECHNICAL COLLEGE, THOMASTON**

Practical Nursing Program Site Visit Response

Report I for New Nursing Education Program Development

Tentative date for annual site visit for proposed new evening program is Thursday, August 20, 2009.

**GRIFFIN TECHNICAL COLLEGE, GRIFFIN**

Practical Nursing Program Self Study for Site Visit mailed by E.C.

Faculty changes: 03 removals, 01 change in status, and 01 addition pending for signature of director; N.F.S.S. lists 7F/T and 2P/T

Preceptor changes; 02 P.Q.R. had less than 01 year nursing practice, and 03 P.Q.R. returned for documentation of nursing experience.

**LANIER TECHNICAL COLLEGE, OAKWOOD**

Submits tentative dates for routine Site Visit

Faculty changes: 03 removals, 02 additions; N.F.S.S. lists 04F/T and 04P/T. Preceptor changes: addition of three (03); Preceptor Summary Sheet lists 27

Clinical Facility Self Study Report for New Horizons West

Clinical Facility Self Study Report for New Horizons North

Tentative dates for site visit November 24 or 25, 2008

**LANIER TECHNICAL COLLEGE – FORSYTH COUNTY, CUMMING**

Nursing Faculty Qualification Record for 01; N.F.S.S. lists 3F/T and 3P/T.

**MOULTRIE TECHNICAL COLLEGE, MOULTRIE**

Removal of one from the Preceptor Summary Sheet. Preceptor Qualification Record for 03; Preceptor Summary Sheet dated October 2008 lists eight (08).

**NORTH METRO TECHNICAL COLLEGE, ACWORTH**

Faculty changes; N.F.Q.R. X03; need updated N.F.S.S.

October 2008 N.F.S.S. lists 3F/T and 11 substitutes.

Clinical Facility Self-Study Report for Grady Health System

Practical Nursing Program Self-Study for Board's Site Visit; E.C. has requested clarification including an updated C.F.S.S. for each hospital and nursing home per Rule 400-3-.12 - all requested documentation shall be received by the Board prior to the site visit.

Submits tentative dates for routine Site Visit in December 2 & 3, 2008.

Clarifications for SFY Annual Report

**OGEECHEE TECHNICAL COLLEGE, STATESBORO**

N.F.Q.R. X03; N.F.S.S. lists 04F/T and 02P/T

Tentative date for routine site visit January 21 and 22, 2009.

**SANDERSVILLE TECHNICAL COLLEGE, SANDERSVILLE & LOUISVILLE**

Submits materials for proposed addition of Gibson Health and Rehab as a proposed new clinical site

**SAVANNAH TECHNICAL COLLEGE, SAVANNAH & HINESVILLE**

SFY Annual Report

Program/School Changes: Change in LPN program director

Anticipated Program/School Changes: None

N.F.Q.R. X05 includes record for Asha Anumolu, RN, MSN; N.F.S.S. lists 5F/T and 05P/T. Master Curriculum Plan.

## **SOUTHWEST GEORGIA TECHNICAL COLLEGE – GRADY COUNTY, CAIRO**

Faculty changes: effective September 8, 2008, Nichole Sanders has accepted the full time position as Director over the Grady County Campus. The campus is in the process of interviewing for the part-time instructor position at Grady County. N.F.S.S. 01

## **SOUTH GEORGIA TECHNICAL COLLEGE, AMERICUS**

Preceptor changes; P.Q.R. X08; P.S.S. lists 35

## **WEST CENTRAL TECHNICAL COLLEGE, WACO**

E.C. Requests acceptance of Practical Nursing Program Site Visit Report

## **WEST CENTRAL TECHNICAL COLLEGE – COWETA CAMPUS, NEWNAN**

Submits Clinical Facility Self-Study Report and other materials for addition for Piedmont Fayette, Fayetteville

## **WEST GEORGIA TECHNICAL COLLEGE, LAGRANGE**

The name is still the same [West Georgia Technical College](#). The school has relocated to a new address which is [One College Circle](#).

## **PROGRAMS to SUBMIT TENTATIVE DATE FOR SITE VISIT**

ATHENS TECHNICAL COLLEGE, ATHENS & ELBERTON

CENTRAL GEORGIA TECHNICAL COLLEGE, MACON

CENTRAL GEORGIA TECHNICAL COLLEGE – BALDWIN COUNTY, MILLEDGEVILLE

COLUMBUS TECHNICAL COLLEGE, COLUMBUS

DEKALB TECHNICAL COLLEGE, CLARKSTON

DEKALB TECHNICAL COLLEGE-NEWTON COUNTY, COVINGTON

GRIFFIN TECHNICAL COLLEGE, GRIFFIN

MIDDLE GEORGIA TECHNICAL COLLEGE, WARNER ROBINS

## **REFRESHER PROGRAM**

North Metro Technical College

Fall 2008 class was cancelled due to inadequate number of participants.

Victoria Agyekum, RN in Savannah

Waiting for additional materials: information about textbook, and a more detailed calendar for the Board

## **OTHER**

### **TECHNICAL COLLEGE SYSTEM OF GEORGIA**

Letter from Ronald W. Jackson, Commissioner, "...I was given the authorization to develop a plan for the consolidation of West Central Technical College and West Georgia Technical College. The Plan currently calls for the consolidated college to be opened by July 1, 2009.

Janet Starr's report to the GBELPNs about the approved QMA programs is as follows--

"According to the Qualified Medication Aide Program Coordinators at each of the three approved QMA programs (Atlanta TC, Atlanta; Columbus TC, Columbus, and Southwest Georgia TC, Thomasville), no one enrolled students in the pre-requisite courses (AHS 109 Medical Terminology and CNA 100 Patient Care Fundamentals) for Fall 2008.

Columbus Tech will increase its QMA advertisements and recruitment efforts during this quarter in an attempt to start its first class Winter 2009."

Mrs. Barnes moved to accept the Education Consultant's recommendations and report. Mrs. Mack seconded the motion and it carried unanimously.

## **EXECUTIVE SESSION**

Mrs. Mitchell moved and Mrs. Barnes 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. Mitchell, Mrs. Barnes, Mrs. Mack and Mrs. Owensby.

At the conclusion of Executive Session on Thursday November 6, 2008, Mrs. Harte declared the meeting to be "open" pursuant to the Open and Public Meetings Act, O.C.G.A. 50-14-1 *et seq.*

Mrs. Tuggle arrived at the Board Meeting.

#### **CONSENT AGREEMENTS/ORDERS – ATTORNEY GENERAL'S OFFICE**

(RNI=Registered Nurse Investigative Case Number)

Mrs. Mack 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.

**Enos, Tamaraque**

**Howell, Perry**

**Mbah, Galedria**

**McCall, Brandy**

**Vana, Melodie**

Mrs. Barnes seconded the motion and it carried unanimously.

**LPN070118** - Mrs. Tuggle moved to write a letter to licensee explaining the reason why the MPE submitted is unacceptable and an acceptable MPE must be submitted to the board by January 31, 2009. Mrs. Mack seconded and the motion carried unanimously.

**LPN080246** - Mrs. Barnes moved to order licensee to an Outpatient MPE. Results are to be reviewed by the Board. If warranted, refer back to the Attorney General for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Mrs. Owensby seconded and the motion carried unanimously.

**LPN090018** - Mrs. Barnes moved to order licensee to an Outpatient MPE. Results are to be reviewed by the Board. If warranted, refer back to the Attorney General for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Mrs. Owensby seconded and the motion carried unanimously.

**LPN080235** - Mrs. Mack moved to close this case with no further action. Mrs. Barnes seconded and the motion carried unanimously.

**LPN070122** - Mrs. Owensby moved to allow licensee to complete MPE on scheduled date and submit to the Board no later than January 31, 2009. Mrs. Tuggle seconded and the motion carried unanimously.

**LPN050160** - Mrs. Barnes moved to require fine from 2002 to be paid prior to licensure reinstatement. Mrs. Mack seconded and the motion carried unanimously.

**LPN080231** - Mrs. Mack moved to close case with a Letter of Concern re: Substandard Care, Professionalism and Criminal. Mrs. Owensby seconded and the motion carried unanimously.

**LPN080234** - Mrs. Owensby moved to close case with a Letter of Concern re: Professionalism. Mrs. Mack seconded and the motion carried unanimously.

#### **PERSONAL APPEARANCES**

(LPNI = Licensed Practical Nurse Investigative Case Number)

**LPNI090062** - Mrs. Mitchell moved to uphold the original board decision regarding unlicensed practice, issuing decision in a private consent agreement. Mrs. Barnes seconded and the motion carried unanimously.

#### **RULES WAIVER PETITION-KAPLAN HIGER EDUCATION RE: BAUDER COLLEGE**

Mrs. Tuggle moved to defer the decision regarding petition for waiver of Rule 400-3-.02 (1)(h) until legal counsel has the opportunity to research additional rules which may require waiver request. Legal counsel will provide additional information for consideration of decision at Board Conference Call tentatively scheduled for November 20, 2008 at 2:00 p.m. Mrs. Mack seconded and the motion carried unanimously.

## APPROVAL OF MINUTES

Mrs. Tuggle moved to accept the minutes from the September 2008 Board Meeting as amended. Mrs. Mack seconded and the motion carried unanimously.

## BOARD POLICIES

The board elected to defer discussion of the policies until they could study them a little further. This item was tabled until the February meeting.

There being no further business, Mrs. Harte called the meeting adjourned at 3:00 p.m.

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Barbara Mitchell, *President*

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Sylvia Bond, *Executive Director*

The minute were recorded by Gwendolyn Dodson, Administrative Assistant, and approved on February 19, 2009.