

The Georgia Board of Nursing met March 18-19, 2009 in Conference Room 104 of the Professional Licensing Boards Division of the Georgia Secretary of State located at 237 Coliseum Drive, Macon Georgia 31217.

WEDNESDAY, MARCH 18, 2009

MEMBERS PRESENT

Delynn Keeton, RN, MN, CPHRM, President
Scott Thigpen, RN, MSN, CEN, CCRN, Vice President
Mary Anderson, RN, BSN, MA
Susan Ayers, RN, BSN, MPH
Kellie R. Lockwood, RN, MSN
Linda W. Smith, RN, MSN
Rebecca Sullivan, JD, Consumer Member
Janice Flynn, DSN, RN, Ph.D.

STAFF PRESENT

Sandy Bond, RN, MSN, MBA, Executive Director
Gwendolyn Dodson, Administrative Assistant
Adrienne Price, RN, MSN, Nursing Consultant, Legal
Julia Gould, RN, MS, Nursing Consultant, Education
Katrina Martin, RN, BSN, COHN-S, Nursing Consultant-Practice, Licensing Supervisor
Janet Jackson, JD, Assistant Attorney General
Sonya Williams, Staff Attorney, Legal Services
Julie Fisher, Staff Attorney, Legal Services

INVESTIGATIVE INTERVIEWS

SH-RNI090289 TA-RNI080428
IC-RNI080772

Mrs. Keeton called the meeting to order at 10:10 a.m. on Wednesday, March 18, 2009. A quorum to conduct disciplinary matters was determined to exist.

APPROVAL OF BOARD MINUTES

Mr. Thigpen moved to accept the February 25, 2009 Conference Call Board Minutes with corrections noted. Mrs. Anderson seconded the motion and it carried unanimously.

Mr. Thigpen moved to accept the March 2, 2009 Conference Call Board Minutes with corrections noted. Mrs. Ayers seconded the motion and it carried unanimously.

EXECUTIVE SESSION

Mrs. Smith moved, Dr. Flynn 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, Mr. Thigpen, Mrs. Anderson & Mrs. Sullivan.

At the conclusion of Executive Session on Wednesday, March 18, 2009, Mrs. Keeton declared the meeting to be "open" pursuant to the Open and Public Meeting Act O.C.G.A. § 50-14-1 et seq.

LEGAL SERVICES

(RNI – Registered Nurse Investigative Case Number)

RNI090283 – Mrs. Smith moved to uphold the previous Board motion and a fine of \$500. Dr. Flynn seconded the motion and it carried with Mrs. Sullivan opposing.

NCLEX APPLICATION REVIEW

(RNI – Registered Nurse Investigative Case Number)

RNI090388 – Mrs. Smith moved to refer to Legal Services for a Private Consent Agreement to include a fine of \$500 for failure to disclose arrest history. Mrs. Ayers seconded the motion and it carried with Mrs. Sullivan opposing.

ENDORSEMENT APPLICATION

(RNI – Registered Nurse Investigative Case Number)

RNI090394 – Mrs. Ayers moved to deny licensure based on previous disciplinary history with the Board and other state boards of nursing. Mrs. Smith seconded the motion and it carried unanimously.

RNI070076 - Mrs. Smith moved to issue a Cease & Desist Order and close the case. Dr. Flynn seconded the motion and it carried unanimously.

RNI090362 – Mrs. Sullivan moved to close the case with a Letter of Concern re: Criminal History and proceed with licensure by Endorsement. Mrs. Smith seconded the motion and it carried unanimously.

RNI090363 – Mrs. Smith moved to close the case with a Letter of Concern re: Action in Another Jurisdiction and proceed with licensure by Endorsement. Mrs. Ayers seconded the motion and it carried unanimously.

RNI090360 - Mrs. Sullivan moved to proceed with licensure by Endorsement. Mrs. Smith seconded the motion and it carried unanimously.

RNI090361 – Mrs. Smith moved to proceed with licensure by Endorsement. Dr. Flynn seconded the motion and it carried unanimously.

MENTAL/PHYSICAL EVALUATIONS REVIEW

(RNI – Registered Nurse Investigative Case Number)

RNI060493 – Mrs. Ayers moved to order licensee to have an Outpatient MPE, due to her first MPE not completed. Results are to be reviewed by the Cognizant Member and the Legal/Discipline Nurse Consultant. If warranted, refer to the Attorney General's office for a Hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Mrs. Smith seconded the motion and it carried unanimously.

ADVANCE PRACTICE AUTHORIZATION REVIEW

(RNI – Registered Nurse Investigative Case Number)

RNI090390 - Mrs. Anderson moved to refer to the Legal Services for Private Consent Order to include a fine of \$500 for failure to disclose information on initial application. Mrs. Ayers seconded the motion and it carried unanimously.

RENEWAL APPLICATION REVIEW

(RNI – Registered Nurse Investigative Case Number)

RNI090327 - Mrs. Smith moved to close the case with a Letter of Concern re: Criminal and proceed with renewal of licensure. Mrs. Smith seconded the motion and it carried unanimously.

RNI090373 - Mrs. Smith moved to order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant Member and the Legal/Discipline Nurse Consultant. If warranted, refer to the Attorney General's office for a Hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Dr. Flynn seconded the motion and it carried unanimously.

RNI090322 - Mrs. Ayers moved to refer to the Attorney General's Office for a Hearing or Private Consent order to track legal probation. Mrs. Smith seconded the motion and it carried unanimously.

RNI090318 - Mrs. Smith moved to order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant Member and the Legal/Discipline Nurse Consultant. If warranted, refer to the Attorney General's office for a Hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Dr. Flynn seconded the motion and it carried unanimously.

RNI090284 - Mrs. Sullivan moved to refer to the Attorney General's Office for a Hearing or Private Consent order to track legal probation. Mrs. Ayers seconded the motion and it carried unanimously.

REQUEST FOR RECONSIDERATION OF BOARD DECISION

(RNI – Registered Nurse Investigative Case Number)

RNI090058 - Mrs. Smith moved to rescind previous Board motion and allow nurse to maintain current position. If not warranted, close the case. Dr. Flynn seconded the motion and it carried unanimously.

RNI090303 - Mrs. Ayers to refer to the Attorney General's Office for a Hearing or Public Consent Order for Reinstatement of license to include a fine of \$150 for unlicensed practice, a fine of \$500 for failure to disclose previous Board sanction and a fine of \$500 for previous consent order. Mrs. Smith seconded the motion and it carried unanimously.

COMPLAINT REVIEW

(RNI – Registered Nurse Investigative Case Number)

RNI090293 - Mrs. Smith moved to refer to the Attorney General's Office for a Hearing or Private Reprimand to include a course Ethics. Dr. Flynn seconded the motion and it carried unanimously.

RNI090205 - Mrs. Ayers moved to order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant Member and the Legal/Discipline Nurse Consultant. If warranted, refer to the Attorney General's office for a Hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Mrs. Smith seconded the motion and it carried unanimously.

RNI090206 - Mrs. Smith moved to order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant Member and the Legal/Discipline Nurse Consultant. If warranted, refer to the Attorney General's office for a Hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Dr. Flynn seconded the motion and it carried unanimously.

COMPLAINT REVIEW – SELF REPORT

(RNI – Registered Nurse Investigative Case Number)

RNI090388 - Mrs. Sullivan moved to the Attorney General's Office for a Hearing or a Private Consent order to include a fine of \$500 for failure to disclose action in another jurisdiction. Mrs. Smith seconded the motion and it carried unanimously.

EXECUTIVE SESSION

Mrs. Sullivan moved, Mrs. Anderson 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, Mr. Thigpen, Dr. Flynn & Mrs. Smith.

At the conclusion of Executive Session on Wednesday, March 18, 2009, Mrs. Keeton declared the meeting to be "open" pursuant to the Open and Public Meeting Act O.C.G.A. § 50-14-1 et seq.

MENTAL/PHYSICAL EVALUATIONS REVIEW

(RNI – Registered Nurse Investigative Case Number)

RNI050006 – Mrs. Smith moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to follow MPE recommendations requesting inpatient psychiatric care. Mrs. Anderson seconded the motion and it carried unanimously.

MENTAL/PHYSICAL EVALUATIONS RESULTS

(RNI – Registered Nurse Investigative Case Number)

RNI080202 – Mrs. Ayers moved to refer to the Attorney General's Office for a Hearing or a Public Consent Order to include probation for (4) four years, substance abuse stipulations, narcotic restrictions for two (2) years and quarterly reports. Dr. Flynn seconded the motion and it carried unanimously.

MENTAL/PHYSICAL EVALUATIONS REVIEW

(RNI – Registered Nurse Investigative Case Number)

RNI030181 – Mrs. Anderson moved to request a completed MPE including all the components required. Mr. Thigpen seconded the motion and it carried unanimously.

RNI060299 – Mrs. Sullivan moved to follow MPE recommendations and refer to the Attorney General's Office for a Hearing or a Private Consent Order to include random drug testing, psychotherapy quarterly reports & may continue work with quarterly reports from psychiatrist. Mrs. Anderson seconded the motion and it carried unanimously.

PETITION TO END PROBATION EARLY

(RNI – Registered Nurse Investigative Case Number)

RNI090242 - Mrs. Anderson moved to terminate probation early. Mr. Thigpen seconded the motion and it carried unanimously.

POSSIBLE VIOLATION OF PRIVATE CONSENT ORDER

(RNI – Registered Nurse Investigative Case Number)

RNI090395 - Mrs. Sullivan moved to refer to the Attorney General's Office for a Hearing or Amended Public Consent Order to include an extension of probation for one (1) year, narcotic restrictions for one (1) year, quarterly reports-employer, aftercare & personal and a fine of \$500 for violation of consent order. Mr. Thigpen seconded the motion and it carried unanimously.

RNI090260 - Mrs. Ayers moved to refer to the Attorney General's office for a Hearing or Indefinite Suspension and the nurse may petition for restoration of license after submitting documentation of resolution of criminal charges. Ms. Smith seconded the motion and it carried unanimously.

POSSIBLE VIOLATION OF CONSENT ORDER

(RNI – Registered Nurse Investigative Case Number)

RNI090204 - Mrs. Smith moved to refer to the Attorney General's office for a Hearing or Amended Public Consent order to include extension of probation for one (1) year, narcotic restrictions for one (1) year and quarterly reports-employer & aftercare and a fine of \$500 for violation of consent order. Mrs. Ayers seconded the motion and it carried unanimously.

RNI090346 - Mrs. Smith moved to refer to the Attorney General's office for a Hearing or Amended Public Consent order to include extension of probation for two (2) years and a fine of \$500 for violation of consent order. Mrs. Ayers seconded the motion and it carried unanimously.

PETITION TO LIFT SUSPENSION, RESTORE LICENSE & COMMENCE PROBATION

(RNI – Registered Nurse Investigative Case Number)

RNI090392 - Mrs. Ayers moved to lift suspension, restore license, commence probation & follow MPE recommendations. Mrs. Smith seconded the motion and it carried unanimously.

CORRESPONDENCE – NURSE ADVOCATE GROUP

(RNI – Registered Nurse Investigative Case Number)

RNI090449 – Mrs. Anderson moved to request clarification of credentials of employees involved or other professionals involved in collaboration. Mrs. Smith seconded the motion and it carried unanimously.

RNI090402 – Mr. Thigpen moved to lift narcotic restrictions and continue probation. Mrs. Ayers seconded the motion and it carried unanimously.

RNI070104 – Mrs. Smith moved to refer to the Attorney General's Office for a Hearing or Private Consent Order to include narcotic restrictions for two (2) years, quarterly reports-employer & aftercare and follow MPE recommendations. Mrs. Anderson seconded the motion and it carried unanimously.

RNI090345 – Mr. Thigpen moved to refer to the Attorney General's Office for a Hearing or Private Consent Order to include probation for four (4) years, substance abuse stipulations, narcotic restrictions for two (2) years and quarterly reports-employer, aftercare and personal. Mrs. Anderson seconded the motion and it carried unanimously.

EXECUTIVE SESSION

Mr. Thigpen moved, Mrs. Anderson 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. Sullivan, Dr. Flynn & Mrs. Smith.

At the conclusion of Executive Session on Wednesday, March 18, 2009, Mrs. Keeton declared the meeting to be "open" pursuant to the Open and Public Meeting Act O.C.G.A. § 50-14-1 et seq.

ENFORCEMENT – ADRIENNE PRICE

(RNI – Registered Nurse Investigative Case Number)

RNI080592 - Mrs. Sullivan moved to close the case. Mrs. Ayers seconded the motion and it carried unanimously.

RNI080256 – Mrs. Smith moved to close the case with no action. Dr. Flynn seconded the motion and it carried unanimously.

RNI080376 – Mrs. Ayers moved to refer to the Attorney General's Office for a Private Reprimand with a course in Ethics & Boundaries. Mrs. Smith seconded the motion and it carried unanimously.

RNI080404 – Mrs. Smith moved to order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant Board Member and the Legal/Discipline Nurse Consultant. If warranted, refer to the Attorney General's Office for a Hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Dr. Flynn seconded the motion and it carried unanimously.

RNI080604 – Mrs. Sullivan moved to refer to the Attorney General's Office for a Voluntary Surrender or Indefinite Suspension. Mrs. Ayers seconded the motion and it carried unanimously.

RNI080699 - Mrs. Smith moved to close the case with no action. Dr. Flynn seconded the motion and it carried unanimously.

RNI080072 - Mrs. Ayers moved to refer to the Attorney General's Office for a Hearing or Private Consent Order to include substance abuse stipulations, narcotic restrictions for two (2) years and quarterly reports-employer, aftercare & personal. Mrs. Smith seconded the motion and it carried unanimously.

RNI070350 – Mrs. Smith moved to refer to the Attorney General's Office for a Hearing or Revocation based on extensive previous history with Board. Dr. Flynn seconded the motion and it carried with Mrs. Keeton abstaining.

RNI060225 - Mrs. Sullivan moved to close the case. Mrs. Ayers seconded the motion and it carried unanimously.

RNI070247 – Mrs. Smith moved to order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant Board Member and the Legal/Discipline Nurse Consultant. If warranted, refer to the Attorney General's Office for a Hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Dr. Flynn seconded the motion and it carried unanimously.

RNI070375 – 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 Nurse Consultant. If warranted, refer to the Attorney General's Office for a Hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Mrs. Smith seconded the motion and it carried unanimously.

RNI080088 - Mrs. Smith moved to close the case with no action. Dr. Flynn seconded the motion and it carried unanimously.

Fernandez, Patricia – Mrs. Sullivan moved to accept the voluntary surrender. Ms. Smith seconded the motion and it carried unanimously.

RNI080240 – Ms. Smith moved to order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant Board Member and the Legal/Discipline Nurse Consultant. If warranted, refer to the Attorney General's Office for a Hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Dr. Flynn seconded the motion and it carried unanimously.

RNI080219 – Mrs. Ayers moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include probation for four (4) years, substance abuse stipulations, narcotic restrictions for two (2) years, quarterly reports-employer, aftercare & personal and a fine of \$500 for second consent order. Mrs. Smith seconded the motion and it carried unanimously.

RNI090007 – Mrs. Smith moved to refer to the Attorney General's office for a Hearing or Private Consent order to track the Florida IPN program. Mrs. Ayers seconded the motion and it carried unanimously.

RNI080163 – Mrs. Sullivan moved to order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant Board Member and the Legal/Discipline Nurse Consultant. If warranted, refer to the Attorney General's Office for a Hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Mrs. Ayers seconded the motion and it carried unanimously.

RNI070355– Mrs. Smith moved to close the case. Dr. Flynn seconded the motion and it carried unanimously.

RNI080104 – Mrs. Sullivan moved to order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant Board Member and the Legal/Discipline Nurse Consultant. If warranted, refer to the Attorney General's Office for a Hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Mrs. Smith seconded the motion and it carried unanimously.

RNI080232 – Mrs. Smith moved to order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant Board Member and the Legal/Discipline Nurse Consultant. If warranted, refer to the Attorney General's Office for a Hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Mrs. Sullivan seconded the motion and it carried unanimously.

RNI060410 – Mrs. Ayers moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include 3 month suspension for a felony drug conviction, probation for four (4) years, substance abuse stipulations, narcotic restrictions for two (2) years and quarterly reports-employer, aftercare & personal. Mrs. Smith seconded the motion and it carried unanimously.

RNI070107 – Mrs. Smith moved to refer to the Attorney General's Office for a Hearing or Revocation based on criminal conviction. Dr. Flynn seconded the motion and it carried unanimously.

Mrs. Lockwood arrives at 3:14 p.m.

MISCELLANEOUS

(RNI – Registered Nurse Investigative Case Number)

RNI080185 – Mr. Thigpen moved to grant continuance and reschedule Cease & Desist hearing until the May 2009 board meeting. Mrs. Smith seconded the motion and it carried.

EXECUTIVE SESSION

Mrs. Smith 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. Anderson, Mr. Thigpen, Mrs. Sullivan, Dr. Flynn & Mrs. Lockwood.

At the conclusion of Executive Session on Wednesday, March 18, 2009, Mrs. Keeton declared the meeting to be “open” pursuant to the **Open and Public Meeting Act O.C.G.A. § 50-14-1** et seq.

APPLICATION REVIEWS AND APPROVAL OF LICENSURE

(RNI – Registered Nurse Investigative Case Number)

Applicant #1168596 – Mrs. Smith moved to refer to Legal Services for a Private Consent Agreement for Endorsement to include a fine of \$2650 for unlicensed practice. Mrs. Ayers seconded the motion and it carried unanimously.

Applicant #1168668 – Mrs. Lockwood moved to write applicant the applicant a letter requesting additional information re: previous employments specifically work history from 1996 forward. Mrs. Anderson seconded the motion and it carried unanimously.

Applicant #1166221 – Mrs. Smith moved to refer to the Legal Services for a Private Consent Agreement for Reinstatement to include a fine of \$200 for unlicensed practice. Dr. Flynn seconded the motion and it carried unanimously.

Applicant #1170626 – Mr. Thigpen moved to refer to the Legal Services for a Private Consent Agreement for Reinstatement to include a fine of \$475 for unlicensed practice. Mrs. Lockwood seconded the motion and it carried unanimously.

Applicant #1157046 – Mrs. Smith moved to refer to the Legal Services for a Private Consent Agreement for Reinstatement to include a fine of \$800 for unlicensed practice Mrs. Lockwood seconded the motion and it carried unanimously.

Applicant #1172070 – Mrs. Smith moved to refer to Legal Services for a Private Consent Agreement for Initial Authorization to include a fine of \$900 for unauthorized practice and issue temporary permit. Mrs. Anderson seconded the motion and it carried unanimously.

Applicant #1142848 – Mrs. Anderson moved to refer to the Legal Services for a Private Consent Agreement for Reinstatement to include a fine of \$800 for unlicensed practice. Mrs. Smith seconded the motion and it carried unanimously.

(A7) Scope of Practice – Mrs. Anderson moved to refer to the Attorney General's Office for a Memorandum of Advice. Mr. Thigpen seconded the motion and it carried unanimously.

(A8) Savannah Memorial Residency - Mrs. Anderson moved to refer to the Attorney General's Office for a Memorandum of Advice. Mrs. Smith seconded the motion and it carried unanimously.

INVESTIGATIVE INTERVIEWS

(RNI=Registered Nurse Investigative Case Number)

RNI090289 - Mrs. Anderson moved to refer to the Legal Services for a Private Consent Order to include a fine of \$500 for failure to disclose DUI. Mr. Thigpen seconded the motion and it carried with Mrs. Sullivan opposing.

RNI090343 – Mrs. Anderson moved to close the case with a Letter of Concern re: Alcohol and release application and investigation files to the California Board of Nursing of DUI. Mr. Thigpen seconded the motion and it carried unanimously.

RNI080428 – Mrs. Anderson moved to close the case in Investigations and in the Attorney General's Office. Mr. Thigpen seconded the motion and it carried unanimously.

APPLICATION REVIEWS AND APPROVAL OF LICENSURE

(RNI – Registered Nurse Investigative Case Number)

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

RNI090397 RNI090399 RNI090398

PETITION RULE WAIVERS/VARIANCES

Applicant #1174955, NS – Mrs. Smith moved to deny the petition rules waiver/variance based on insufficient clinical practical experience. The applicant must submit clinical practical experience. Mrs. Anderson seconded the motion and it carried unanimously.

Applicant #1181630, Marie, Etta – Mrs. Ayers moved to grant the petition rules waiver or variance and proceed with licensure by Endorsement. Mrs. Smith seconded the motion and it carried unanimously.

Applicant #1174974, DC – Mrs. Smith moved to deny the petition rules waiver/variance based on insufficient clinical practical experience. The applicant must submit clinical practical experience. Mrs. Anderson seconded the motion and it carried unanimously.

LIFTING OF NARCOTIC RESTRICTIONS

(RNI=Registered Nurse Investigative Case Number)

RNI090386 – Mrs. Lockwood moved to lift narcotic restrictions. Mrs. Anderson seconded the motion and it carried unanimously.

RNI090368 – Mrs. Smith moved to deny lifting narcotic restrictions. Mrs. Lockwood seconded the motion and it carried unanimously.

RNI090368 – Mrs. Ayers moved to lift narcotic restrictions. Mrs. Thigpen seconded the motion and it carried unanimously.

MISCELLANEOUS

Mrs. Anderson moved to appoint Linda Smith as the Board Liaison to the APRN committee. Mr. Thigpen seconded the motion and it carried unanimously.

DIRECTLY REFERRED CASES TO THE ATTORNEY GENERAL'S OFFICE FOR VIOLATION OF PRIVATE CONSENT ORDER

(RNI – Registered Nurse Investigative Case Number)

Mrs. Smith moved to refer the following case (s) to the Attorney General's Office for a Hearing or Public Consent Order to include four (4) years probation, substance abuse stipulations, narcotic restrictions for two (2) years, quarterly reports-employer, aftercare & personal and a fine of \$500 for violation of previous consent order. Mr. Thigpen seconded the motion and it carried unanimously.

RNI090347

CONSENT ORDER-LEGAL SERVICES

(RNI=Registered Nurse Investigative Case Number)

Mr. Thigpen moved to accept the following Private Consent Agreements prepared by Legal Services. Mrs. Anderson seconded the motion and it carried unanimously.

RNI090111 RNI090113 RNI090364

APPLICATION REVIEWS AND APPROVAL OF LICENSURE

Mr. Thigpen moved, Mrs. Lockwood seconded and the Board voted to approve applications for licensure and advanced practice authorization for the months of January 2009 and February 2009 that were determined, pursuant to Board approved guidelines, to have met licensure/authorization requirements. (See Attached reports)

Mrs. Keeton adjourned the meeting at 6:00 p.m.

THURSDAY, MARCH 19, 2009

MEMBERS PRESENT

Delynn Keeton, RN, MN, CPHRM, President
Scott Thigpen, RN, MSN, CEN, CCRN, Vice President
Mary Anderson, RN, BSN, MA
Kellie R. Lockwood, RN, MSN
Linda W. Smith, RN, MSN
Rebecca Sullivan, JD, Consumer Member
Janice Flynn, DSN, RN, Ph.D.

MEMBERS ABSENT

Susan Ayers, RN, BSN, MPH

STAFF PRESENT

Sandy Bond, RN, MSN, MBA, Executive Director
Gwendolyn Dodson, Administrative Assistant
Adrienne Price, RN, MSN, Nursing Consultant, Legal
Julia Gould, RN, MS, Nursing Consultant, Education
Katrina Martin, RN, BSN, COHN-S, Nursing Consultant, Legal
Janet Jackson, Assistant Attorney General, JD

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

Rosalina Mujica	Karen Johnstone	Leslie Painter	Jodi Cray	Lisa Beck
Kim Galagra	Faith Garrett	Jeffrey Ross	Christi Lavunt	Ruby Barlow
Sheree Dickerson	Renee Baca	Trina Boteler	Brendalyn Browner	Carolyn Hickory
Ron Newcomb	Melane Howard	Helen Taggart	Jean Mistretta	Cindy Balkstra
Sandy Gandee	Gerald Hibbs	Amanda Lucas	Leslie Culpepper	Hannah Vinson
Margie Johnson	Deon Hutchinson	RD Griffin	Katrina Clark	Cara Mohn

Mrs. Keeton called the meeting to order at 8:41 a.m. on Thursday, March 19, 2009. A quorum to conduct disciplinary matters was determined to exist.

EXECUTIVE DIRECTOR'S REPORT

Mrs. Bond reported on administrative items and the following:

- Proposed Change of RN Renewal Date to October 31st
- Status of GAPS Criminal Background Check

EXECUTIVE SESSION

Mr. Thigpen moved and Mrs. Anderson 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* March 18-19, 2009 Board Meeting Minutes

information on applications, investigative reports and pending cases. The motion passed unanimously. Those who voted to enter into Executive Session: Mrs. Sullivan, Mrs. Lockwood, Mrs. Smith & Dr. Flynn.

At the conclusion of Executive Session on Thursday, March 19, 2009, Mrs. Keeton declared the meeting to be "open" pursuant to the Open and Public Meeting Act O.C.G.A. § 50-14-1 et seq.

CONSENT AGREEMENTS/ORDERS – ATTORNEY GENERAL'S OFFICE

(RNI – Registered Nurse Investigative Case Number)

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

RNI050109	Crosby, Mary	RNI070507	Jarvis, Rebecca	RNI090074
RNI090209	Madurski, Charles	RNI080799	RNI090225	Poindexter, Norma
Reese, Curtis	RNI050325	RNI080422	RNI090277	Dunlap, Jennifer
Goodrich, David	Jacobson, Patti	Lewis, Susan	Wettach, Vickie	Willis, Yvonne

Mrs. Smith seconded the motion and it carried unanimously.

Rogers, Ginger Lee - Mrs. Anderson moved to accept the voluntary surrender. Mrs. Smith seconded the motion and it carried unanimously.

RNI080611 - Mrs. Smith moved to order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant Board Member and the Legal/Discipline Nurse Consultant. If warranted, refer to the Attorney General's Office for a Hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Mrs. Thigpen seconded the motion and it carried unanimously.

RNI090253 – Mrs. Anderson moved to close the case. Mr. Thigpen seconded the motion and it carried unanimously.

RNI090305 - Mrs. Ayers moved to order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant Member and the Legal/Discipline Nurse Consultant. If warranted, refer to the Attorney General's office for a Hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Mrs. Lockwood seconded the motion and it carried unanimously.

RNI090169/RNI090242 - Mrs. Lockwood moved to close the case in the Attorney General's Office and refer to Investigations to obtain results of the 2008 Georgia complaints, including certified copies of criminal actions. Mrs. Smith seconded the motion and it carried with Mr. Thigpen abstaining.

RNI080479 - Mrs. Smith moved to order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant Member and the Legal/Discipline Nurse Consultant. If warranted, refer to the Attorney General's office for a Hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Mrs. Lockwood seconded the motion and it carried unanimously.

RNI070413 - Mrs. Smith moved to order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant Member and the Legal/Discipline Nurse Consultant. If warranted, refer to the Attorney General's office for a Hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Mrs. Lockwood seconded the motion and it carried unanimously.

Wettach, Vickie – Mr. Thigpen moved to request documentation from probation office of completion of probation. Mrs. Anderson seconded the motion and it carried unanimously.

Jacobson, Patti - Mrs. Lockwood moved to change probation to three (3) years and accept pending receipt of the original document. Dr. Flynn seconded the motion and it carried unanimously.

RNI090260 - Mrs. Anderson moved to close the case in the Attorney General's Office, refer to Investigations to obtain current status of criminal arrest or charges which may pending in the courts and obtain evidence related to the criminal activity. Dr. Flynn seconded the motion and it carried unanimously.

MISCELLANEOUS

Mrs. Lockwood moved to write a letter to Kathy Kareken to inform that her group will no longer be considered as a Board approved aftercare group. This only applies to Kathy Kareken's group not other GNA-NAP groups. Mrs. Smith seconded the motion and it carried unanimously.

Mrs. Anderson moved to appoint Dr. Flynn as the Education Cognizant. Mr. Thigpen seconded the motion and it carried unanimously.

LEGAL/DISCIPLINE COGNIZANT CLOSED CASES REPORT

(RNI=Registered Nurse Investigative Case Number)

Mrs. Keeton moved to ratify the recommendations of the Cognizant Board member and to close the following complaints. Mrs. Lockwood seconded the motion and it carried unanimously.

RNI090364	RNI090279	RNI090336	RNI090334	RNI070017	RNI090337	RNI070373
RNI090329	RNI090329	RNI090323	RNI090372			

MISCELLANEOUS

Mrs. Lockwood moved to refer correspondence from Jody Corry to the Medical Composite Board as the code section refers to the Medical Practice Act. Mr. Thigpen seconded the motion and it carried unanimously.

LEGAL SERVICES

(RNI - Registered Nurse Investigative Case Number)

RNI090283 – Mrs. Anderson moved to rescind the previous Board motion and grant APRN Authorization. Mrs. Lockwood seconded the motion and it carried unanimously.

NCLEX APPLICATION REVIEW

(RNI - Registered Nurse Investigative Case Number)

RNI090388 – Mrs. Anderson moved rescind the previous board motion and close the case with a Letter of Concern re: Judgment and proceed with licensure by Examination. Mrs. Sullivan seconded the motion and it carried unanimously.

INVESTIGATIVE INTERVIEW

(RNI - Registered Nurse Investigative Case Number)

RNI080772 – Mrs. Anderson moved to proceed with licensure by Reinstatement. Mrs. Sullivan seconded the motion and it carried unanimously.

SITE VISIT REPORT

Bainbridge College

Mrs. Lockwood moved to accept the following recommendations:

1. Conditional approval is imposed on the Associate Degree Nursing Program at Bainbridge College. In order to for Full Approval to be considered, an average of at least eighty (80) percent of first-time NCLEX-RN writers in 2007, 2008 and 2009 must pass. [410-3-.02 (1), (f);410-3-.09]

2. Due to the small number of full-time faculty members (5), provide the plan for transitioning the two (2) temporary full-time faculty positions to tenure track positions as soon as possible. [410-3-.03 (6); 410-3-.05 (12)]
3. For any faculty member declaring members. [410-3-.03 (8)]

Mr. Thigpen seconded the motion and it carried unanimously.

Mrs. Lockwood moved to accept the following commendations:

1. The plan for total program evaluation is comprehensive and detailed. [410-3-.03 (8)]
2. Minutes document business conducted and actions taken. [410-3-.03 (9);410-3-.05 (12)]
3. Practice-based learning activities occur in diverse settings representative of the continuum of health care. [410-3-.04 (6)]
4. Students and faculty members are constantly involved in community-based service learning activities consistent with the mission of the College. [410-3-.04 (1),(8),(9)]
5. Teaching/learning strategies, activities, and interactions incorporate praxis, reflection, critical thinking and decision-making. [410-3-.04 (8)]
6. Teaching/learning strategies, activities, and interactions facilitate the transition to professional practice. [410-3-.04 (9)]
7. The guidelines for Levels I, II, and III Procedures and the clinical skills record direct students and faculty members and provide for patient safety. [410-3-.04 (11)]
8. Faculty members have the graduate nursing education, expertise, and professional development to enable the learning goals of the curriculum. [410-3-.05 (8)]
9. The Associate Degree Program Preceptor Guide provides clear direction for students, faculty members and preceptors. [410-3-.06]
10. A clear plan has been developed for students seeking to reenter the program. [410-3-.07 (2)]
11. A clear process of remediation for students earning less than predetermined results on the ATI Exit Exam has been developed. [410-3-.07 (2);410-3-.09]

Mrs. Smith seconded the motion and it carried unanimously.

DEVELOPING PROGRAMS

Gwinnett Technical College (AD) – Report II

Dr. Flynn moved to accept the following:

1. Based on compliance with Rules 410-4-.01 (4) and (5), Initial Approval is granted to Gwinnett Technical College for the enrollment of the first cohort of 40 students into its Associate Degree Nursing Program in the Fall 2009 quarter. [410-3-.02 (1)(b)]
2. A site visit will be conducted during the 2009-2010 academic year. [410-4-.01 (7)]
3. Four (4) scan able copies of Report III must be received in the board office no later than February 10, 2010 for review at the Board's March 17-18, 2010 meeting. [410-4-.01 (6)]
4. Provide the definitive date for implementation of semester conversion as it relates to the developing Associate Degree Nursing Program at Gwinnett Technical College. This must be received in the board office no later than April 8, 2009 for review at the Board's May 13-14, 2009 meeting. [410-3-.11 (2)]

Mrs. Smith seconded the motion and it carried with Mrs. Sullivan abstaining.

Chattahoochee Technical College (AD) – Report I

Mrs. Anderson moved to accept the following:

1. Acknowledge receipt of Report I submitted by Chattahoochee Technical College for its proposed Associate Degree Nursing Program. [410-4-.01 (4)]

2. Provide verification of that the Commission on Colleges of the Southern Association of Colleges and Schools has accredited the College to award associate degrees. [410-4-.01 (2)(b)]
3. Identify the Associate Degree nursing unit, with the relevant title (program, department), as a separate entity on the organizational chart in terms of its relationship to Health Sciences and the parent institution. It must be clear that the nursing unit has a designated nurse administrator. [410-3-.03 (2),(3)]
4. Provide a revised five-year budget which accurately reflects the number of faculty members. [410-4-.01 (3)(c)]
5. Provide a revised five-year timeline to include the definitive date for conversion from quarters to semesters/trimesters. [410-4-.01 (3)(e);410-3-.11 (2)(b)]
6. Responses to Recommendations 2, 3, 4, and 5 must be received in the board office no later than April 8, 2009 for review at the Board's May 13-14, 2009 meeting. [410-3-.11(2)(b)]
7. Pending the approval of Report I, four (4) scan able copies of Report II must be received in the Board Office no later than June 11, 2009 for review at the Board's July 15-16, 2009 meeting. [410-4-.01 (5)]

Mrs. Lockwood seconded the motion and it carried with Mrs. Sullivan abstaining.

College of Coastal Georgia (BSN) – Developmental Approval

Mrs. Smith moved to accept the following:

1. Acknowledge receipt of materials pertaining to the 22 and 20 month reports submitted by the College of Coastal Georgia in support of its proposed baccalaureate degree nursing program. [410-4-.01 (2) and (3)]
2. Review the five-year timeline for the development and implementation of the proposed baccalaureate degree nursing program so that it is consistent with Rules 410-4-.01. [410-4-.01 (3)(e)]
3. Provide a written description for each practice setting proposed for learning activities with a letter of commitment from practice setting personnel to include the possible impact of existing, affiliating nursing programs. [410-4-.01 (3)(d)]
4. Responses to recommendation (2) and (3) must be received in the board office no later than April 8, 2009 for review at the Board's May 13-14, 2009 board meeting. [410-3-.11 (2)]

Mrs. Lockwood seconded the motion and it carried unanimously.

PLAN OF ACTION

Darton College

Mrs. Lockwood moved based upon a passing percentage of first-time NCLEX-RN writers in 2008 of 78.1% (125/160), but with an overall four-year (2005-2008) average of passing percentage of at least eighty (80) percent, Darton College must submit a written assessment and plan of action no later than April 8, 2009 for review at the May 13-14, 2009 board meeting. Mr. Thigpen seconded the motion and it carried with Mrs. Smith abstaining. [410-3-.02 (2)(b)]

Georgia Southwestern State University

Mrs. Lockwood moved based upon a passing percentage of first-time NCLEX-RN writers in 2008 of 79.3% (23/29), but with an overall four-year (2005-2008) average of passing percentage of at least eighty (80) percent, Georgia Southwestern State University must submit a written assessment and plan of action no later than April 8, 2009 for review at the May 13-14, 2009 board meeting. Mrs. Anderson seconded the motion and it carried unanimously. [410-3-.02 (2)(b)]

CLINICAL NURSE ADVANCED PRACTICE – HELEN TAGGART

- Helen Taggart presented the Board a brief summary regarding recognizing clinical nurses as advanced practice registered nurses.
- A discussion between Board members and guests was held.

There being no further business, the meeting adjourned Thursday, March 19, 2009 at 3:00 p.m.

Delynn Keeton, *President*

Sylvia Bond, *Executive Director*

The minutes were recorded by Gwendolyn Dodson, Administrative Assistant and approved on May 27, 2009.