

The Georgia Board of Examiners of Licensed Practical Nurses met VIA conference call on November 4, 2009 at the Professional Licensing Boards Division, 237 Coliseum Drive, Macon Georgia 31217.

**November 4, 2009**

**MEMBERS PRESENT:**

Barbara Mitchell, RN, NHA, President  
Jane Harte, LPN , Vice President  
Mary Lynn Owensby, LPN  
Le Ann Tuggle, Consumer Member

**MEMBERS ABSENT:**

Judy Hilliard, LPN  
Vicky Mack, RN, MSN  
Jacqueline Barnes, LPN

**STAFF PRESENT:**

Sandy Bond, RN, MSN, MBA, Executive Director  
Janet Jackson, J.D., Board Attorney  
Pam Candler, Board Support Specialist

Mrs. Mitchell called the meeting to order at 12:33 p.m.

**Agenda:** Ms. Harte moved to accept the agenda. Mrs. Tuggle seconded the motion and it carried unanimously.

A quorum to conduct business was determined to exist.

**EXECUTIVE SESSION**

Ms. Harte moved, Mrs. Owensby 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); 43-26-50 and 43-26-11, to *deliberate on applications and enforcement matters and to receive information on applications, investigative cases and pending cases and make recommendations to the Board on the above items*. The motion passed unanimously. Those voting to enter into Executive Session: Ms. Harte, Ms. Tuggle , Mrs. Owensby and Ms. Mitchell.

At the conclusion of Executive Session on Wednesday, November 4, 2009, Mrs. Mitchell declared the meeting to be “open” pursuant to the Open and Public Meeting Act O.C.G.A. § 50-14-1 et seq.

**LEGAL/DISCIPLINE Janet Jackson, JD, Board Attorney**

**TMW – LPN050211** Mrs. Tuggle moved to accept the consent order and place licensee on indefinite suspension. Licensee may petition the board for restoration of license. Suspension is to continue until the licensee is released from conviction and/or probation. The Executive Director is given express permission to sign Mrs. Mitchell’s name. Mrs. Owensby seconded the motion and it carried unanimously.

**EWB – LPN060213** Ms. Harte moved to accept the consent order with the Executive Director directed to sign this consent order with the express permission of the Board President. Mrs. Tuggle seconded the motion and it carried unanimously.

**LEGAL/DISCIPLINARY CONSULTANT Adrienne Price, RN, MSN**

**TRR – LPN1199127** Mrs. Owensby moved to close this case and issue license with a letter of concern for substandard care. Mrs. Tuggle seconded the motion and it carried unanimously.

**JSB – LPN1199128** Ms. Harte moved to close this case and issue license with a letter of concern for criminal behavior. Mrs. Owensby seconded the motion and it carried unanimously.

**LEGAL SERVICES**

Ms. Harte moved to accept the listing presented by Legal Services. Mrs. Tuggle seconded the motion and it carried unanimously.

**APPLICATION**

**ASK – 1210704** Ms. Harte moved to refer this application to Legal Services for a Public Consent Agreement for unlicensed practice with a \$500.00 fine. Mrs. Tuggle seconded the motion and it carried unanimously.

**BAUDER COLLEGE**

Ms. Harte moved to grant developmental approval to the program in order for them to proceed with the application process. Mrs. Tuggle seconded the motion and it carried unanimously.

**CORRESPONDENCE**

Letter was sent to the board requesting scope of practice clarification for Licensed Practical Nurses performing dialysis not under the direct supervision of a Registered Nurse. Ms. Jackson and/or Mrs. Mitchell will be checking on this and will report back to the Board at the next meeting.

**NCSBN QUESTIONNAIRE**

The Board completed the NCSBN Questionnaire and responded to each of the questions. A copy is attached and made a part of these minutes. Mrs. Owensby moved to approve Mrs. Mitchell completing the Questionnaire and transmitting it to the National Council. Mrs. Tuggle seconded the motion and it carried unanimously.

Ms. Tuggle moved that the meeting adjourn. Ms. Harte seconded the motion and it carried unanimously.

There being no further business, Mrs. Mitchell called the meeting adjourned at 2:00 pm.

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Barbara Mitchell, **President**

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Sylvia Bond, **Executive Director**

The minutes were recorded by Pam Candler, Board Support Specialist

## Member Board Survey of 2009 Draft Uniform Licensure Requirements (ULRs)

Please review each of the newly revised requirements and provide us with your comments.

### Initial Licensure Requirements

#### **1. Nursing Education Requirements: RN**

- Graduation from, or
- Verification of successful completion of RN program requirements from an NCSBN Member Board approved nursing education program.

*Comments:*

#### **2. Nursing Education Requirements: PN**

- Graduation from, or
- Verification of successful completion of PN program requirements from an NCSBN Member Board approved nursing education program.

Includes:

- Graduation from Army PN program or any future military PN program approved by an NCSBN Member Board
- Graduates from RN programs who have failed the NCLEX RN and successfully completed a role delineation course.

*Comments: Our current statute requires graduation from an approved nursing education program. We would be unable to license based on successful completion of a PN program. We do include the Army PN program. Other military programs are being evaluated on a case by case basis. The graduates from RN programs who failed the NCLEX RN would not be permitted to take the NCLEX PN because the LPN Board does not approve RN nursing education programs.*

#### **3. Nursing Education Requirements of International Candidates: RN**

Graduation from a nursing program comparable to a U.S. NCSBN Member Board approved RN program, as verified by a credentials review.

*Comments:*

#### **4. Nursing Education Requirements of International Candidates: PN**

Graduation from a nursing program comparable to a U.S. NCSBN Member Board approved PN/VN program, as verified by a credentials review.

*Comments: This is the current licensing practice of the Georgia Board of Examiners of Licensed Practical Nurses.*

## 5. NCLEX Requirements

Passage of NCLEX RN or PN exam within two years after nursing program completion. (Candidate may test as often as every 45 days within that time frame). Testing beyond two years must follow remediation as determined by the Member Board.

*Comments: The GELPN agrees that this is best practice however our statute allows a candidate 5 years to pass the NCLEX PN. If the candidate does not pass in 5 years they must successfully complete a regular full time board approved nursing education program.*

## 6. Additional Requirements for International Candidates

- Credentials review by the Member Board or an external review agency approved by an NCSBN Member Board that includes verification of the applicant's nursing education and nursing licensure.
- Verification of successful completion of an English proficiency exam that includes the components of reading, speaking, writing, and comprehension, except for programs that are taught in English and use English textbooks.
- Passage of NCLEX RN/PN exam within two years after being declared eligible to take the exam by an NCSBN Member Board. (Candidate may test every 45 days within that time frame).

*Comments: The GELPN currently requires a credentialing evaluation and Tofal for an international candidate. Our statute allows a candidate 5 years to pass the NCLEX PN.*

## 7. Additional Public Protection Requirements: Criminal Background Check

- Identification and review of all misdemeanors, felony convictions and plea agreements (even if adjudication was withheld) of all individuals applying for licensure.
- State and federal fingerprint checks.

*What barriers exist in your state that would prevent the implementation of this licensure requirement? We currently have no statutory requirement for fingerprint checks. There would need to be legislation to require this. Additional barriers for our board would be cost and additional staff to obtain and process fingerprint checks for all applicants.*

*What can NCSBN do to assist you in the implementation of this licensure requirement?*

*Comments:*

## 8. Additional Public Protection Requirements: Substance Abuse

Identification of any applicant for licensure who may be impaired by drugs or alcohol and consideration of her/his ability to practice nursing safely.

*Comments: We have no statutory requirement for mandatory reporting. This would require a change in the statute. The GELPN agrees that this is best practice and would support legislation requiring mandatory reporting*

## **9. Additional Public Protection Requirements: Other licenses, certifications, registrations**

Identification of any individual who has had any actions taken or initiated against any professional or occupational license, registration, or certification and consideration of the individual's ability to practice nursing safely.

*Comments: This information is asked on our application however, we have no statutory requirement for mandatory reporting. This would require a change in the statute.*

### Renewal/Reinstatement Requirements

#### **1. Criminal Background Check**

- Identification and review of all misdemeanors, felony convictions and plea agreements, even if adjudication was withheld, of an individual applying for licensure.
- State and federal fingerprint checks, if automatic criminal background feedback system (such as Rap-Back) is not in place.

*Comments: The GELPN agree that this is necessary to protect the public in the State of Georgia. We currently have no statutory requirement for fingerprint checks. We complete a GCIC on all applicants who check yes to the arrest/conviction question on the application. All arrests/convictions beyond minor traffic infractions are reviewed by the board and board staff.*

#### **2. Substance Abuse**

Identification of any applicant for licensure who may be impaired by drugs or alcohol and consideration of her/his ability to practice nursing safely.

*Comments: The GELPN believe that this is best practice however, we have no statutory requirement for mandatory reporting. This would require a change in the statute.*

#### **3. Other licenses, certifications, registrations**

Identification of any individual who has had any actions taken or initiated against any professional or occupational license, registration, or certification and consideration of the individual's ability to practice nursing safely.

*Comments: We have no statutory requirement for mandatory reporting. This would require a change in the statute. We do however ask for this information on our application.*

### Endorsement Requirements

#### **1. Education, Exam, and Licensure Verification**

- Verification of education.
- Verification of passage of the NCLEX/State Test Pool Exam.
- Verification of current licensure.

*Comments: Our board verifies this information on each Endorsement Applicant*

## **2. Criminal Background Check**

- Identification and review of all misdemeanors, felony convictions and plea agreements, even if adjudication was withheld, of an individual applying for licensure.
- State and federal fingerprint checks.

*Comments: We have no statutory requirement for fingerprint checks. We are doing Criminal background checks as part of the application process through GCIC on those applicant's who answer yes on the conviction/arrest question on the application.*

## **3. Substance Abuse**

Identification of any applicant for licensure who may be impaired by drugs or alcohol and consideration of her/his ability to practice nursing safely.

*Comments: We do not have a statutory requirement for mandatory reporting.*

## **4. Other licenses, certifications, registrations**

Identification of any individual who has had any actions taken or initiated against any professional or occupational license, registration, or certification and consideration of the individual's ability to practice nursing safely.

*Comments: This question is asked on the application for endorsement. This information is usually obtained through verification of license in state the applicant is endorsing from.*

Would your board be able to have these changes enacted by your state legislature and implemented?  
*These changes would require changing the Nurse Practice Act. In the current economic climate in Georgia the cost involved in the fingerprint checks and additional staff to process these on all applicants may make legislation difficult to obtain. We believe that it would be easier to obtain legislation changing the time period in which a candidate can pass the NCLEX PN for licensure, mandatory reporting of drug/alcohol impairment.*

How would NCSBN be able to assist you in the implementation of these licensure requirements?  
*It would be helpful to have information showing increased protection of the public by implementation of these licensure requirements including the information regarding the current studies that support requiring passing of the NCLEX within 2 years.*

Are there any additional requirements that you/your board feels should be included?

Additional Comments or suggestions:

*The GELPN agree with and support the Uniform Licensure Requirements as presented in the 2009 Draft with the exception of an RN who cannot pass the NCLEX being allowed to take the NCLEX PN after completing a role delineation course.*