

The Georgia Board of Examiners of Licensed Practical Nurses met in Conference Room 102 of the Professional Licensing Boards Division of the Georgia Secretary of State, located at 237 Coliseum Drive, Macon, Georgia 31217.

WEDNESDAY, August 18, 2010

MEMBERS PRESENT:

Barbara Mitchell, RN, NHA, President
Jane Harte Sipple, LPN, CPUR, CCDS, Vice President
Kellie R. Lockwood, RN, MSN, Cognizant Member
Patricia Z. Marshall, LPN, NAAC
Fredettena "Tina" Fletcher, LPN
Krista Andrea Phipps, LPN

MEMBERS ABSENT:

Le Ann Tuggle, Consumer Member

STAFF PRESENT:

Sandy Bond, RN, MSN, MBA, Executive Director
Connie Styons, RN, MN, APN, NP-BC, LPN Education Consultant
Katrina Martin, RN,BSN Licensing Supervisor
Pam Candler, Board Support Specialist

Ms. Sipple called the meeting to order at 9:10 a.m. Ms. Sipple noted that a quorum was present to conduct business.

BOARD MINUTES

Ms. Phipps moved to accept and publish the minutes from the June Board Meeting as amended. Ms. Fletcher seconded the motion and it carried unanimously.

EXECUTIVE DIRECTOR'S REPORT

Ms. Bond introduced Connie Styons, who started as the LPN Education Consultant on August 16, 2010. Ms. Bond gave a brief update on administrative issues:

- MLO Conversion continues, with L2K removed from most computers in July.
- LPN Examination Applications are still not ready to be placed on the website

EXECUTIVE SESSION

Ms. Fletcher moved, Ms. Marshall 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 cases and pending cases. The motion passed unanimously.

At the conclusion of Executive Session on Wednesday, August 18, 2010, Ms. Sipple 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

(LPNI – Licensed Practical Nurse Case Number)

TPW LPNI100359 Ms. Phipps moved to uphold the previous Board decision from the June 9-10, 2010 meeting. Ms. Fletcher seconded the motion and it carried unanimously.

Ms. Fletcher moved to accept signed and returned Private Consent Agreements. Ms. Phipps seconded the motion and it carried unanimously.

PERSONAL APPEARANCES

LPNI100291 APD Ms. Fletcher moved to uphold the Board's June 9-10, 2010 motion regarding this applicant. Ms. Lockwood seconded the motion and it carried unanimously.

LPNI100341 CDB Board office was notified by email that licensee could not attend.

LPNI100348 MTB Ms. Fletcher moved to proceed with licensure by endorsement. Ms. Phipps seconded the motion and it carried unanimously.

DISCIPLINE CASES

(LPNI – Licensed Practical Nurse Case Number)

NCLEX-PN Application Review

LPNI100390 ANM Ms. Marshall moved to license with a letter of concern (Criminal) upon passing the NCLEX-PN Examination. Ms. Fletcher seconded the motion and it carried unanimously.

LPNI110005 MJB Ms. Phipps moved to license with a letter of concern (Criminal) upon passing the NCLEX-PN Examination. Ms. Fletcher seconded the motion and it carried with Ms. Lockwood abstaining.

LPNI230440 JCR Ms. Sipple moved to license upon passage of the NCLEX-PN Examination. Ms. Lockwood seconded the motion and it carried unanimously.

Reinstatement Application Review

LPNI110069 BJG Ms. Fletcher moved to deny licensure based on criminal background. Ms. Phipps seconded the motion and it carried unanimously.

LPNI100342 TBJ Ms. Lockwood moved to issue license with a letter of concern (Criminal). Ms. Sipple seconded the motion and it carried unanimously.

Endorsement Application Review

(LPNI – Licensed Practical Nurse Case Number)

LPNI110070 JLH Ms. Marshall moved to issue license with a letter of concern (Failure to Disclose). Ms. Fletcher seconded the motion and it carried unanimously.

LPNI100190 CMH Ms. Lockwood moved to accept the Cease and Desist order. Ms. Sipple seconded the motion and it carried unanimously.

LPNI090039 WM Ms. Sipple moved to accept the Cease and Desist Order. Ms. Lockwood seconded the motion and it carried unanimously.

LPNI100005 KA Ms. Fletcher moved to issue license with a letter of concern (Medication Administration). Ms. Phipps seconded the motion and it carried unanimously.

LPNI100091 SRG Ms. Sipple moved to order licensee to have an outpatient Mental/Physical Examination. Results are to be reviewed by the Cognizant Board Member and, 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. Ms. Fletcher seconded the motion and it carried unanimously.

LPNI100147 AKT Ms. Lockwood moved to license with a letter of concern (treatments). Ms. Marshall seconded the motion and it carried unanimously.

LPNI070025 JBS Ms. Fletcher moved to close the case and issue license. Ms. Sipple seconded the motion and it carried unanimously.

APPLICATION REVIEW

APP#1235625 EF Ms. Fletcher moved to proceed with licensure by endorsement. Ms. Lockwood seconded the motion and it carried unanimously.

APP#1232689 DF Ms. Sipple moved to approve licensure upon passing NCLEX-PN. Ms. Lockwood seconded the motion and it carried unanimously.

APP#1242536 OFM Ms. Sipple moved to deny licensure based on §43-26-32. Ms. Fletcher seconded the motion and it carried unanimously.

APP#1231736 AYC Ms. Sipple moved to deny licensure based on insufficient hours according to Rule 400-3-.07(5). Ms. Fletcher seconded the motion and it carried unanimously.

APP#1234335 CD Ms. Sipple moved to deny licensure based on applicant not graduating from an approved program according to Rule 400-3-.02 Ms. Phipps seconded the motion and it carried unanimously.

APP#1238017 MAB Ms. Lockwood moved to deny licensure based on insufficient clock hours according to Rule 400-3-.07(5). Ms. Phipps seconded the motion and it carried unanimously.

APP#1236140 SLP Ms. Lockwood moved to refer to Legal Services for a Private Consent Order with a \$750.00 fine for unlicensed practice. Ms. Marshall seconded the motion and it carried unanimously.

APP#1240047 EJS Ms. Lockwood moved to refer to Legal Services for a Private Consent Order with a \$750.00 fine for unlicensed practice. Ms. Sipple seconded the motion and it carried unanimously.

APP#1234477 LAM Ms. Lockwood moved to refer to Legal Services for a Private Consent Order with a \$750.00 fine for unlicensed practice. Ms. Sipple seconded the motion and it carried unanimously.

APP#1239198 SSS Ms. Marshall moved to refer to Legal Services for a Private Consent Order with a \$500.00 fine for unlicensed practice. Ms. Fletcher seconded the motion and it carried unanimously.

APP#1241140 KDK Ms. Marshall moved to refer to Legal Services for a Private Consent Order with a \$750.00 fine for unlicensed practice. Ms. Phipps seconded the motion and it carried unanimously.

APP#1225299 RK Ms. Marshall moved to refer to Legal Services for a Private Consent Order with a \$500.00 fine for unlicensed practice. Ms. Sipple seconded the motion and it carried unanimously.

APP#1107000 RF Ms. Phipps moved to direct the licensee to participate in a Board Approved refresher program with 80 hours of theory and 160 hours of clinical. Ms. Marshall seconded the motion and it carried unanimously.

APP#1234476 LCT Ms. Phipps moved to refer to Legal Services for a Private Consent Order with a \$750.00 fine for unlicensed practice. Ms. Sipple seconded the motion and it carried unanimously.

APP#1245801 LLC Ms. Phipps moved to approve applicant to sit for the NCLEX-PN test and pass by Fall of 2015. Ms. Lockwood seconded the motion and it carried unanimously.

APP#1241137 JDT Ms. Marshall moved to deny licensure based on insufficient hours according to Rule 400-3-.07(5). Ms. Sipple seconded the motion and it carried unanimously.

APP#1247706 AMB Ms. Lockwood moved to refer to Legal Services for a Private Consent Order with a \$750.00 fine for unlicensed practice. Ms. Sipple seconded the motion and it carried unanimously.

ENFORCEMENT CASES

LPNI090036 PC Ms. Mitchell moved to issue license with a letter of concern (Professional Boundaries). Ms. Sipple seconded the motion and it carried unanimously.

LEGAL/DISCIPLINE COGNIZANT CASE REPORT

Ms. Lockwood moved to ratify the recommendations of the Cognizant Board Member and to close the following complaints:

LPNI1100037

LPNI110016

LPNI110018

Ms. Phipps seconded the motion and it carried unanimously.

STUDENT LOAN DEFAULTS

Ms. Phipps moved to suspend the following licenses to practice as Licensed Practical Nurses for defaulting on Licensees' student loans, and further move that this suspension will cease upon the receipt by the Division Director of a notice of release from the Georgia Higher Education Corporation. Ms. Sipple seconded the motion and it carried unanimously.

LPN055682 ENB

LPN063057 SDG

LPN REFRESHER PROGRAM

Ms. Sipple moved to approve policy on LPN Refresher/Re-entry Programs as follows:

Applicants who have not practiced:

From 5 to 8 years	80 Hours Theory and 80 Hours Clinical
From 8 to 10 years	80 Hours Theory and 160 Hours Clinical
Over ten years	Board to review on a case by case basis

Ms. Phipps seconded the motion and it carried unanimously.

The meeting adjourned at 5:49 p.m.

THURSDAY, AUGUST 19, 2010

MEMBERS PRESENT:

Barbara Mitchell, RN, NHA, President
Jane Harte Sipple, LPN, CPUR, CCDS, Vice President
Krista Andrea Phipps, LPN
Kellie R. Lockwood, RN, MSN, Cognizant Member
Patricia Z. Marshall, LPN, NAAC
Fredettena "Tina" Fletcher, LPN

MEMBERS ABSENT:

Le Ann Tuggle, Consumer Member

STAFF PRESENT:

Sandy Bond, RN, MSN, MBA, Executive Director
Julia Gould, RN, MS, Nursing Consultant – Education
Connie Styons, RN, MN, APN, NP – BC, LPN Education Consultant
Janet Jackson, JD., Assistant Attorney General
Pam Candler, Board Support Specialist

OTHERS PRESENT – During Open Session only

Lisa Anne Beck, M.Ed., D.C., Curriculum Program Specialist
Public Health & Safety/Nursing, Technical College System of Georgia
Terry Wilkins, Central Georgia Technical College
Mary Dogherty, Kaplan College, Chicago
Elizabeth Whitworth, Attorney representing Bauder College
Diana Meeks-Sjostrom, Bauder College
Millicent Threats, Bauder College
Katrina Walker, Bauder College

Ms. Mitchell called the meeting to order at 8:32 a.m. Ms. Mitchell noted that a quorum was present to conduct business.

Ms. Mitchell announced that she has received the resignation of Board Member Le Ann Tuggle, Consumer Member, effective immediately. The Board needs to select another Chairperson for the Semester Curriculum Review subcommittee.

Kellie Lockwood was nominated by Ms. Fletcher and seconded by Ms. Sipple and unanimously approved to be the new Chairperson for this subcommittee.

LISA BECK, D.C., TECHNICAL COLLEGE SYSTEM OF GEORGIA

Dr. Beck looks forward to meeting with the Semester Curriculum Review subcommittee and indicated that most of the materials are ready for review. Target date for starting the new semester program is Fall of 2011.

EDUCATION CONSULTANT REPORT

Albany Technical College – Establishment of an Evening Program
Altamaha Technical College – Off Campus Offering
Bauder College – Submission of requested reports and The Commission of Colleges of the Southern Association of Colleges and Schools Sanctions (SACS):

The Board reviewed a letter of August 17, 2010 from Dr. Meeks-Sjostrom of Bauder College that was emailed to the office on the same date. The letter described an August 13, 2010 meeting that Bauder and SACS representatives had concerning the submission of substantive change documents for the proposed LPN and RN programs. At its June 20, 2010 meeting, the SACS Board of Trustees denied reaffirmation of Bauder College and placed it on warning for noncompliance with eight core requirements/standards. The accreditation status will be reviewed by the SACS Board of Trustees at its June 2011 meeting.

The Board and Bauder College representatives had considerable discussion about the College's status with SACS in terms of continuing the development and implementation of a proposed LPN program until the sanctions are removed. In addition, the Board expressed concern about the hiring of qualified faculty to develop and teach in the proposed program. It also discussed the need for adequate and appropriate clinical facilities.

EXECUTIVE SESSION

Ms. Sipple moved, Ms. Phipps 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 cases and pending cases. The motion passed unanimously.

At the conclusion of Executive Session Ms. Mitchell declared the meeting to be "open" pursuant to the Open and Public Meeting Act O.C.G.A. § 50-14-1 et seq.

PROPOSED PROGRAM CHANGES/ADDITIONS

Ms. Sipple moved to approve the evening program submitted by Albany Technical College. Ms. Fletcher seconded the motion and it carried unanimously. (Rule 400-3-.02)

Ms. Fletcher moved to approve the off campus offering in Brunswick submitted by Altamaha Technical College. Ms. Fletcher seconded the motion and it carried unanimously. (Rule 400-3-.02)

Ms. Lockwood moved to approve the following board actions as outlined below concerning Bauder College.

1. Acknowledge receipt of the responses to recommendations from the 10 month report and Report I for the proposed practical nursing program at Bauder College.
2. Acknowledge receipt of Report II, its Addendum, and the Instructor Resource Guides for the proposed practical nursing program at Bauder College.
3. Until such time as the Board of Examiners of Licensed Practical Nurses has accepted written documented evidence that the Commission on Colleges of the Southern Association of Colleges and Schools has removed the sanctions from Bauder College, no additional materials related to the development and implementation of a proposed practical nursing program need to be submitted. (Rule 400-3-.03)

Ms. Phipps seconded the motion and it carried unanimously.

ADOPTION OF RULE 400-2-.01 Licensure by Examination

Ms. Jackson reviewed the procedures involved in adopting Rule Amendments. The Board has the discretion to amend a rule and they may vote to adopt it as posted or make additional changes.

Ms. Lockwood wanted to clarify the usage of the words “graduated” and “completed” as set out in the proposed rule amendment. If a diploma is presented then the student has graduated but a student can complete the program and not graduate and receive a diploma for any number of reasons.

Ms. Lockwood moved to repost the rule as follows:

AMENDMENT TO RULE 400-2-.01 Qualifications: Regular Examination Candidates. Amended and ADOPTION OF NEW RULE 400-2-.01 Licensure by Examination

Ms. Lockwood moved to amend Rule 400-2-.01 entitled Qualifications: Regular Examination Candidates. Amended. and adopt a new Rule 400-2-.01 entitled Licensure by Examination. Ms. Sipple seconded the motion and it carried unanimously.

Ms. Marshall moved to vote that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the applicable laws as provided by the Attorney General’s office. Ms. Sipple seconded the motion and it carried unanimously.

SYNOPSIS OF PROPOSED RULE OF THE GEORGIA BOARD OF EXAMINERS OF LICENSED PRACTICAL NURSES RULE 400-2-.01 Licensure by Examination

PURPOSE: The purpose of the amendment is to update the rule and clearly define those individuals who may become Licensed Practical Nurses in the state of Georgia through the passage of the NCLEX-PN.

MAIN FEATURE: The main feature of the amendment is to update the language and more clearly define applicants who may take the NCLEX-PN examination before licensure.

**DIFFERENCES BETWEEN THE EXISTING RULE AND
THE PROPOSED AMENDMENT TO
THE GEORGIA BOARD OF EXAMINERS OF LICENSED PRACTICAL NURSES
RULES, RULE NO. 400-2-.01**

Note: Underlined text is proposed to be added, lined through text is proposed to be deleted.

~~400-2-.01 Qualifications: Regular Examination Candidates~~

~~(1) Upon proof being properly submitted to the Board that the applicant has successfully completed a Georgia approved practical nursing program before the exam date and, upon proof that the applicant meets the statutory qualifications to become a licensed practical nurse in Georgia, and upon proof of payment of proper fees, the Board will allow the applicant to take such examination as prescribed therefore.~~

400-2-.01 Licensure by Examination

The Board will authorize an applicant for licensure, who has completed and graduated from a nursing education program as defined by O.C.G.A. § 43-26-32, to take the NCLEX-PN Examination after submitting to the Board proof of the following:

- (a) the applicant has successfully completed and graduated from a Board approved nursing education program prior to the licensing examination date;
- (b) the applicant must meet the statutory qualifications to become a licensed practical nurse in Georgia; and
- (c) the required fees have been paid.

Authority: O.C.G.A. §§ 43-1-25; 43-26-32; 43-26-35; 43-26-36 and 43-26-37.

AMENDMENT TO RULE 400-2-.06 Temporary Permits. Amended

Ms. Sipple moved to amend Rule 400-2-.06 entitled Temporary Permits. Amended. Ms. Phipps seconded the motion and it carried unanimously.

Ms. Lockwood moved to vote that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the applicable laws as provided by the Attorney General's office. Ms. Sipple seconded the motion and it carried unanimously.

**DIFFERENCES BETWEEN THE EXISTING RULE AND
THE PROPOSED AMENDMENT TO
THE GEORGIA BOARD OF EXAMINERS OF LICENSED PRACTICAL NURSES
RULES, RULE NO. 400-2-.06**

Note: Underlined text is proposed to be added, lined through text is proposed to be deleted.

400-2-.06 Temporary Permit.

(1) Further Training: An applicant for licensure by endorsement or reinstatement required to complete further training through supervised clinical practice may be issued a temporary permit, according to the provisions of law, as follows:

(a) The temporary permit shall be valid up to ~~nine (9)~~ six (6) months or until final action upon the application for licensure by endorsement or reinstatement is taken by the Board and a license is issued, whichever occurs first. In either case, the temporary permit is valid for a period of ~~nine (9)~~ six (6) months. **Any extension of the ~~nine (9)~~ six (6) month temporary permit shall be at the discretion of the Board.**

(b) The holder of this temporary permit may obtain supervised clinical practice training under supervision as outlined in the board approved work proposal submitted to the board by the applicant on forms provided by the board.

(2) Endorsement and Reinstatement: An applicant for licensure by endorsement or reinstatement who has submitted a completed application and provided verification of active practice may be issued a temporary permit according to the provisions of law as follows:

(a) Applicant has provided a current copy of their licensed practical/vocational nurse license from a NCLEX jurisdiction.

(b) The holder of this temporary permit may perform nursing duties under the supervision of a licensed registered nurse, doctor, podiatrist or dentist.

(c) The temporary permit shall be valid up to ~~nine (9)~~ six (6) months or until final action upon the application for licensure by endorsement or reinstatement is taken by the Board and a license is issued, whichever occurs first. In either case, the temporary permit is valid for a period of ~~nine (9)~~ six (6) months. **Any extension of the ~~nine (9)~~ six (6) month temporary permit shall be at the discretion of the Board.**

Authority: O.C.G.A. §§ 43-26-35; 43-26-38 and 43-26-39.

EXECUTIVE SESSION

Ms. Fletcher moved, Ms. Sipple 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 cases and pending cases. The motion passed unanimously.

At the conclusion of Executive Session, 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.

APPLICATION REVIEW

LPNI100309 TLJ Ms. Marshall moved to refer to the Attorney General's office for a Public Consent Order to include six months suspension, substance abuse stipulations and a fine of \$250.00 for failure to disclose. Ms. Fletcher seconded the motion and it carried unanimously.

LPNI100088 GLB Ms. Sipple moved to refer to Attorney General's Office for a Private Consent Order with quarterly employer, personal and psychotherapy reports. Licensee may work part-time for six months and they may petition the board for permission to seek full-time employment. Continue current program for psychotherapy and medications. Ms. Phipps seconded the motion and it carried unanimously.

ENFORCEMENT:

LPNI090096 ARP Ms. Sipple moved to refer to the Attorney General's Office for a Public Consent Order with a three months suspension, substance abuse stipulations, narcotics restrictions for two years and quarterly employer, personal and psychotherapy reports. Ms. Phipps seconded the motion and it carried unanimously.

LPNI090050 JHC Ms. Fletcher moved to refer to the Attorney General's Office for a Voluntary Surrender. Ms. Phipps seconded the motion and it carried unanimously.

INVESTIGATIVE INTERVIEW

LPNI090064 KJJ Ms. Marshall moved to rescind the Board Motion of July 17, 2008 and not pursue violation of a Consent Agreement. Ms. Phipps seconded the motion and it carried unanimously.

ANNUAL REPORT FEE

Ms. Sipple moved to abolish the \$400.00 Annual Report Fee paid by approved nursing Programs. Ms. Phipps seconded the motion and it carried unanimously.

ATTORNEY GENERAL'S STATUS REPORT – JANET JACKSON

Ms. Phipps moved to accept the following Public Consent Orders presented by Ms. Jackson. Ms. Marshall seconded the motion and it carried unanimously:

LPNI0600084 Blizzard, Brenda

LPNI100032 Jones, Amy

LPNI1060177 Rewis, Sadie

LPNI1090101 Richardson, Evelyn

LPNI100004 Youmans, Gwendolyn

Ms. Phipps moved to accept Private Consent Order **LPNI100054 BE** presented by Ms. Jackson. Ms. Marshall seconded the motion and it carried unanimously.

Ms. Sipple moved to accept the voluntary surrender of license by **PATRICIA BLOSSER, LPNI1080262**. Ms. Phipps seconded the motion and it carried unanimously.

LPNI100036 JG Ms. Lockwood moved to close the case with a letter of concern (Patient Abuse). Ms. Marshall seconded the motion and it carried unanimously.

LPNI080043 AM Ms. Sipple moved to close the case based on lack of evidence. Ms. Phipps seconded the motion and it carried unanimously.

LPNI090111 JS Ms. Fletcher moved to close the case. Ms. Lockwood seconded the motion and it carried unanimously

LPNI100137 Companion case involving six (6) LPNS Ms. Lockwood moved to close the case for each of the six Licensed Practical Nurses with a letter of concern (Substandard Practice and Patient Abuse). Ms. Fletcher seconded the motion and it carried unanimously.

Ms. Jackson also updated the board on pending cases that she is currently preparing for further Board action, and closed cases since the previous board meeting.

LICENSES ADMINISTRATIVELY ISSUED

Ms. Fletcher moved to ratify licenses administratively issued from June 2, 2010 to August 15, 2010. Motion was seconded by Ms. Sipple and it carried unanimously.

The meeting adjourned at 3:10 p.m.

Barbara Mitchell, RN, NHA, **President**

James Cleghorn, **Executive Director**

The minutes of the Board Meeting were recorded by Pam Candler, Board Support Specialist and approved on
