

The Georgia Board of Examiners of Licensed Practical Nurses met 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, DECEMBER 7, 2011

MEMBERS PRESENT

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

MEMBERS ABSENT

Krista Andrea Phipps, LPN

STAFF PRESENT

James Cleghorn, Executive Director
Janet Jackson, Assistant Attorney General (*Via video*)

Mrs. Mitchell called the meeting to order at 9:35 a.m. on Wednesday, December 7, 2011. A quorum to conduct disciplinary matters was determined to exist.

PERSONAL APPEARANCES

EM-LPNI120082 PHF-LPNI120143 AR-LPNI120144

EXECUTIVE DIRECTOR'S REPORT

Mr. Cleghorn reported on the following administrative items:

- Status report on applications, complaints/compliance and final dispositions for October 2011 and November 2011
- House Bill 87 - law requires documentation to verify proof of United States citizenship for applications and renewals.
- House Bill 675
- LPN Scope of Practice Decision Tree
- Vacant licensing analyst position

LIAISON REPORT - HATTIE O'BRYANT

Mrs. Hattie O'Bryant gave a report on following:

- Formal "thank you" to executive director for attending the GLPN Association meeting October 31, 2011 – November 2, 2011
- LPN Association Public Forum Meeting to be held at Central Technical College on May 3-4, 2012
 - Requests Executive Director and Assistant Attorney General to participate on panel
 - Panel will consist of Nursing Home Administrators, Nursing Education Schools and others.

EXECUTIVE SESSION

Ms. Lockwood 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 on Wednesday, December 7, 2011, 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.

Ms. Mitchell moved to adjourn the meeting at 5:05 p.m. Ms. Fletcher seconded the motion and it carried unanimously.

THURSDAY, DECEMBER 8, 2011

MEMBERS PRESENT

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

MEMBERS ABSENT

Krista Andrea Phipps, LPN

STAFF PRESENT

James Cleghorn, Executive Director
Janet Jackson, Assistant Attorney General

Ms. Mitchell called the meeting to order at 9:16 a.m. on Thursday, December 8, 2011. A quorum to conduct disciplinary matters was determined to exist.

EXECUTIVE SESSION

Ms. Lockwood 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 on Wednesday, December 7, 2011, 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.

RULES HEARING – RULES CHAPTER 400-4, GEORGIA QUALIFIED MEDICATION AIDES

Ms. Sipple moved to repeal rules chapter 400-4.

400-4-.01 Repealed.
400-4-.02 Repealed.
400-4-.03 Repealed.
400-4-.04 Repealed.
400-4-.05 Repealed.
400-4-.06 Repealed.

Ms. Marshall seconded the motion and it carried unanimously.

Ms. Marshall moved the repeal of these rules does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the applicable laws as required by O.C.G.A. § 50-13-4. Ms. Fletcher seconded the motion and it carried unanimously.

EXECUTIVE SESSION

Ms. Lockwood 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 on Wednesday, December 7, 2011, 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.

APPLICATION REVIEW

(LPNI = Licensed Practical Nurse Investigative Case Number)

Applicant C.B., #1314955 – Ms. Fletcher moved to proceed with licensure by reinstatement. Ms. Lockwood seconded the motion and it carried unanimously.

Applicant J.R., #1733204 – Ms. Sipple moved to refer to Legal Services for a private consent agreement to include a fine of \$250 for failure to disclose. Ms. Marshall seconded the motion and it carried unanimously.

Applicant R.W., #1733533 - Ms. Fletcher moved to deny licensure based on criminal history. Ms. Sipple seconded the motion and it carried with Ms. Lockwood abstaining.

Applicant M.R., #1733688 – Ms. Sipple moved to refer to Legal Services for a private consent agreement to include a fine of \$250 for failure to disclose. Ms. Lockwood seconded the motion and it carried unanimously.

Applicant M.P., #1734268 – Ms. Fletcher moved to proceed with licensure by examination. Ms. Sipple seconded the motion and it carried unanimously.

Applicant G.W., #1734365 - Ms. Sipple moved to deny licensure. Applicant has not met practice requirements. Ms. Lockwood seconded the motion and it carried unanimously.

Applicant K.K., #1307290 – Ms. Fletcher moved to write applicant a letter requesting an outpatient MPE as a condition of the Board's consideration of the application. Results are to be reviewed by the Board. If warranted, refer to the Attorney General's Office for a consent agreement utilizing evaluation results and/or recommendations. If not warranted, proceed with licensure and close the case. Ms. Marshall seconded the motion and it carried unanimously.

Applicant T.K., #1307722 - Ms. Sipple moved to refer to the Attorney General's office for a hearing or a public consent order to mirror Ohio Board of Nursing restrictions and a fine of \$250 for failure to disclose. Ms. Fletcher seconded the motion and it carried unanimously.

Applicant C.K., #1307961 – Ms. Fletcher moved to proceed with licensure by examination. Ms. Sipple seconded the motion and it carried with Ms. Lockwood abstaining.

Applicant F.K., #1312435 – Ms. Sipple moved to issue license upon receipt of verification of employment for 2009-2010. Ms. Marshall seconded the motion and it carried unanimously.

Applicant R.L., #1729613 – Ms. Fletcher moved to proceed with licensure by examination. Ms. Marshall seconded the motion and it carried unanimously.

Applicant D.L., #1238753 – Ms. Sipple moved to table application until verification of employment is submitted in standard form to include specific hours worked. Ms. Lockwood seconded the motion and it carried unanimously.

Applicant C.L., #1732390 – Ms. Fletcher moved to write applicant a letter requesting an outpatient MPE as a condition of the Board's consideration of the application. Results are to be reviewed by the Board. If warranted, refer to the Attorney General's Office for a consent agreement utilizing evaluation results and/or recommendations. If not warranted, proceed with licensure and close the case. Ms. Sipple seconded the motion and it carried unanimously.

Applicant A.B., #1313704 - Ms. Sipple moved to deny licensure based on insufficient clock hours. Ms. Marshall seconded the motion and it carried unanimously.

Applicant J.B., #1306150 – Ms. Fletcher moved to proceed with licensure by endorsement and to send a letter instructing applicant to review the Nurse Practice Act regarding LPNs working without supervision. Ms. Sipple seconded the motion and it carried unanimously.

Applicant O.I., #1735630 - Ms. Sipple moved to deny licensure based on insufficient clock hours. Ms. Marshall seconded the motion and it carried unanimously.

Applicant M.R., #1279039 – Ms. Fletcher moved to uphold the previous board motion from the October 19-20, 2011 board meeting. Ms. Sipple seconded the motion and it carried unanimously.

APPLICATION REVIEWS AND APPROVAL OF LICENSURE

(RNI – Registered Nurse Investigative Case Number)

Ms. Marshall 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. Ms. Sipple seconded the motion and it carried unanimously.

APP#1734033	APP#1725547	APP#1312547	APP#1726409	APP#1311255	APP#1732205	APP#1736162
APP#1726520	APP#1315029	APP#1736017	APP#1738349	APP#1737491	APP#1285634	APP#1728354

LEGAL/DISCIPLINE COGNIZANT CASES REPORT

(LPNI=Licensed Practical Nurse Investigative Case Number)

Ms. Marshall moved to ratify the Cognizant’s recommendations and to close the following complaints:

LPNI120069	LPNI120080	LPNI120045	LPNI120049	LPNI090159	LPNI110163	LPNI110058
LPNI110059	LPNI120048	LPNI110405	LPNI110031	LPNI100108	LPNI110064	LPNI110012
LPNI110053	LPNI110055	LPNI110061	LPNI100015	LPNI110056	LPNI090184	LPNI100083
LPNI110441	LPNI090118	LPNI090123	LPNI110550	LPNI120021	LPNI120025	LPNI120029
LPNI120031	LPNI120099					

Ms. Sipple seconded the motion and it carried unanimously.

VIOLATION OF CONSENT ORDER

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI070025 – Ms. Fletcher moved to send a violation letter by certified mail. Ms. Marshall seconded the motion and it carried unanimously.

LPNI100004 – Ms. Sipple moved to refer to the Attorney General’s office to obtain information regarding details of course to include where course was obtained, course instructor, details of instruction, course length and certificate of completion. Ms. Lockwood seconded the motion and it carried unanimously.

MENTAL/PHYSICAL EXAMINATION REVIEW

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI050212 – Ms. Fletcher moved to refer to the Attorney General’s office for a hearing or private consent order to include probation for three (3) years, quarterly reports (employer, psychotherapy and personal) and continued psychiatric treatment. Ms. Sipple seconded the motion and it carried unanimously.

LPNI110473 – Ms. Sipple moved to renew license with a Letter of Concern re: Impairment. Ms. Marshall seconded the motion and it carried unanimously.

FAILURE TO DISCLOSE

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI120059 – Ms. Fletcher moved to refer to Legal Services for a private consent agreement to include a fine of \$250 for failure to disclose. Ms. Marshall seconded the motion and it carried unanimously.

FAILURE TO MEET EDUCATION REQUIREMENTS

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI110019 – Ms. Sipple moved to request the LPN application file from Michigan Board of Nursing. Ms. Marshall seconded the motion and it carried unanimously.

COMPLAINT INVESTIGATION REVIEW

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI120004 – Ms. Fletcher moved to close the case with a Letter of Concern re: Medication Administration. Ms. Sipple seconded the motion and it carried unanimously.

LPNI120033 – Ms. Sipple moved to refer to Legal Services for a private consent agreement to include a fine of \$250 for failure to disclose. Ms. Marshall seconded the motion and it carried unanimously.

LPNI120060 – Ms. Fletcher moved to refer to the Attorney General's office for a hearing, voluntary surrender or indefinite suspension pending resolution of criminal case. Ms. Lockwood seconded the motion and it carried unanimously.

RENEWAL APPLICATION REVIEW 2011-2013

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI110444 – Ms. Sipple moved to refer to the Attorney General's office for a hearing or three (3) month suspension. Licensee must complete an MPE as a condition to lift suspension. Ms. Marshall seconded the motion and it carried unanimously.

COMPLAINT INVESTIGATION REVIEW

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI110508 – Ms. Fletcher moved to close the case. Ms. Marshall seconded the motion and it carried unanimously.

REQUEST FOR EARLY TERMINATION

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI080044 – Ms. Sipple moved to approve request for early termination of consent order. Ms. Fletcher seconded the motion and it carried unanimously.

LPNI080163 – Ms. Fletcher moved to lift narcotic restrictions. Ms. Marshall seconded the motion and it carried unanimously.

REQUEST TO AMEND CONSENT AGREEMENT

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI080166 – Ms. Sipple moved to deny request to remove the word abuse from consent order and send a certified letter to explain the violation. If no response within thirty (30) days, refer to the Attorney General's office for a hearing. Ms. Marshall seconded the motion and it carried unanimously.

LPNI120029 – Ms. Marshall moved to refer to the Attorney General's office to order licensee to have an outpatient MPE. Results are to be reviewed by the Board. If warranted, refer to the Attorney General's Office for a consent agreement utilizing evaluation results and/or recommendations. If not warranted, proceed with licensure and close the case. Ms. Sipple seconded the motion and it carried with Ms. Fletcher abstaining.

LPNI120107 – Ms. Lockwood moved to refer to Legal Services for a public reprimand to include completing an NCSBN course in Professional Accountability and Critical Thinking. Ms. Sipple seconded the motion and it carried unanimously.

LPNI120068 – Ms. Marshall moved to close the case. Ms. Fletcher seconded the motion and it carried unanimously.

LPNI120112 – Ms. Lockwood moved to refer to Investigations to obtain a copy of the investigative file from the North Carolina Board of Nursing, and to require licensee to provide a letter of explanation for the North Carolina Board of Nursing's actions and information of any criminal arrests or convictions. Ms. Sipple seconded the motion and it carried unanimously.

LPNI110481 – Ms. Marshall moved to refer to the Attorney General's office for a hearing, voluntary surrender or indefinite suspension. Ms. Lockwood seconded the motion and it carried unanimously.

LPNI110463 – Ms. Lockwood moved to close the case. Ms. Fletcher seconded the motion and it carried unanimously.

LPNI110476 – Ms. Marshall moved to refer to the Attorney General's office for a hearing or public consent order to include probation for three (3) years, quarterly reports (employer, personal and aftercare), a course in Anger Management approved by the Board and a fine of \$250 for failure to disclose. Ms. Sipple seconded the motion and it carried unanimously.

INVESTIGATIVE INTERVIEWS

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI090064 – Ms. Marshall moved to rescind the previous board motion from the June 2010 board meeting based on receipt of additional information and close the case and issue a Letter of Concern re: Professional Responsibility. Ms. Sipple seconded the motion and it carried unanimously.

LPNI110285 – Ms. Lockwood moved to close the case. Ms. Sipple seconded the motion and it carried unanimously.

INVESTIGATIONS

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI110112 – Ms. Marshall moved to refer to the Attorney General's office for a summary suspension. Ms. Fletcher seconded the motion and it carried unanimously.

Jones, Donna Kay – Ms. Lockwood moved to accept the Cease & Desist order, flag the record and refer application to the cognizant board member for review when application for reinstatement is complete. Ms. Sipple seconded the motion and it carried unanimously.

LPNI070161 – Ms. Marshall moved to refer to Investigations to obtain physician's statement. Ms. Fletcher seconded the motion and it carried unanimously.

LPNI110125 – Ms. Lockwood moved to refer to the Attorney General's office to order licensee to have an outpatient MPE. Results are to be reviewed by the Board. If warranted, refer to the Attorney General's Office for a consent order utilizing evaluation results and/or recommendations. If not warranted, proceed with licensure and close the case. Ms. Sipple seconded the motion and it carried unanimously.

Davis, Cassandra – Ms. Lockwood moved to accept the Cease & Desist order. Ms. Sipple seconded the motion and it carried unanimously.

LPNI110152 – Ms. Marshall moved to send a letter to respondent requesting the name of current medical director. Ms. Sipple seconded the motion and it carried unanimously.

LPNI120106 – Ms. Lockwood moved to close the case with a Letter of Concern re: Unprofessional Conduct. Ms. Fletcher seconded the motion and it carried unanimously.

LEGAL SERVICES

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI120083 – Ms. Fletcher moved to rescind previous motion from the October 19-20, 2011 board meeting and refer to Legal Services for a private consent agreement to include a fine of \$500 for unlicensed practice. Ms. Sipple seconded the motion and it carried with Ms. Sipple abstaining.

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 on Thursday, December 8, 2011, 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.

CONSENT AGREEMENTS/ORDERS – ATTORNEY GENERAL’S OFFICE

(LPNI – Registered Nurse Investigative Case Number)

Ms. Lockwood 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 to allow executive director to sign with express permission of the board president:

LPNI110207 LPNI100110 LPNI110395 LPNI100141 Tompkins, Amy Giddens, Karmen

Ms. Fletcher seconded the motion and it carried unanimously.

LPNI110556 – Ms. Lockwood moved to rescind the previous board motion from the October 19-20, 2011 board meeting, send a letter to licensee requesting current status, a sworn statement regarding 2008 incident and complete a GCIC. Ms. Sipple seconded the motion and it carried unanimously.

PERSONAL APPEARANCES

(LPNI = Licensed Practical Nurse Investigative Case Number)

Applicant L.P., #1315019 – The applicant cancelled the personal appearance.

LPNI120082 – Ms. Sipple moved to proceed with licensure upon completion of a Board approved refresher program consisting of eighty (80) hours of theory and eighty (80) hours of clinical. Ms. Lockwood seconded the motion and it carried unanimously.

LPNI110176 – Cancelled personal appearance.

LPNI120143 – Ms. Sipple moved to uphold the previous motion from the October 19-20, 2011 board meeting. Ms. Fletcher seconded the motion and it carried unanimously.

LPNI120144 – Ms. Fletcher moved to uphold the previous motion from the October 19-20, 2011 board meeting. Ms. Lockwood seconded the motion and it carried unanimously.

MISCELLANEOUS

The Board requested that board staff send letters to all LPN nursing schools noting that simulation hours may not count towards the required 485 hour clinical component.

Ms. Marshall moved to accept the LPN Scope of Practice Decision Tree as presented. Ms. Sipple seconded the motion and it carried unanimously.

APPROVAL OF MINUTES

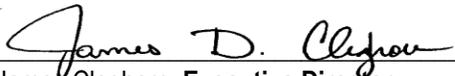
Ms. Lockwood moved to allow summary from the October 19-20, 2011 meeting to serve as minutes approved by the Board which may later be revised or amended by the Board. Ms. Fletcher seconded the motion and it carried unanimously.

APPLICATION REVIEWS AND APPROVAL OF LICENSURE

Ms. Marshall moved, Ms. Lockwood seconded and the Board voted to approve applications for licensure for the months of September 2011 through October 2011 that were determined, pursuant to Board approved guidelines, to have met licensure requirements. (See Attached reports)

There being no further business, the meeting adjourned at 4:05 p.m.


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


James Cleghorn, **Executive Director**

The minutes were recorded by Gwendolyn Dodson, Administrative Assistant, and approved on February 15, 2012.