

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, FEBRUARY 15, 2012

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 (teleconference)
Krista Andrea Phipps, LPN

MEMBERS ABSENT

Patricia Z. Marshall, LPN, NAAC

STAFF PRESENT

James Cleghorn, Executive Director
Gwendolyn Dodson, Confidential Administrative Assistant
Janet Jackson, Assistant Attorney General (teleconference)

Mrs. Mitchell called the meeting to order at 9:25 a.m. on Wednesday, February 15, 2012. A quorum to conduct disciplinary matters was determined to exist.

PERSONAL APPEARANCES

DM-LPNI120123 (teleconference) KP-LPNI120164 AH-LPNI120163 RW-LPNI120162

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

Susan Davis Brandon Shepherd (teleconference)

EXECUTIVE DIRECTOR'S REPORT

Mr. Cleghorn reported on the following administrative items:

- Status report on applications, complaints/compliance and final dispositions for December 2011 and January 2012
- Legislative Items
 - House Bill 675 (Definition of Approved Nursing Education)
 - Senate Bill 376 (Mandatory Reporting Requirement)
 - Senate Bill 368 (Continuing Competency Requirement)
 - House Bill 675 (Approved Nursing Education) passed in the Senate and House and awaiting Governor's signature
 - House Bill 879 Diabetes Care/Unlicensed Personnel
- Updated legal/disciplinary policy
- Consent order/agreement policy

LIAISON REPORT - HATTIE O'BRYANT

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

- LPN Association Public Forum Meeting titled to be held at Central Technical College on May 3-4, 2012
 - Moderator will be Sylvia Rozier

- Inform public of changes in the healthcare field
- Panel will consist of Nursing Home Administrators, Nursing Education Schools, Legislators and others.
- Requested Board members to support and inform public of meeting

DEVELOPING PROGRAMS

Bauder College

Mrs. Sipple moved to accept Report V by the LPN Program at Bauder College. Mrs. Phipps seconded the motion and it carried unanimously.

EXECUTIVE SESSION

Ms. Phipps 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, February 15, 2012, 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 A.M., #1732351 - Ms. Sipple moved to deny licensure. Applicant did not graduate from an approved nursing education program. Ms. Lockwood seconded the motion and it carried unanimously.

Applicant B.S., #1736415 – Ms. Phipps moved to write applicant a letter requesting additional information regarding the following items: 1) Number of PRN hours worked within the last five (5) years; 2) Job duties while working at CME; 3) Was nursing knowledge/training required for position. The applicant must not use the title Licensed Practical Nurse (LPN) while unlicensed. Ms. Sipple seconded the motion and it carried unanimously.

Applicant T.D., #1748145 – Ms. Fletcher moved to proceed with licensure by endorsement upon receipt of passing the NCLEX-PN examination. Ms. Lockwood seconded the motion and it carried unanimously.

Applicant T.W., #1734132 – Ms. Phipps moved to proceed with licensure by examination with a Letter of Concern re: Alcohol and Criminal. Ms. Sipple seconded the motion and it carried unanimously.

Applicant T.R., #1729645 – Ms. Sipple moved to refer to Legal Services for a private consent agreement for reinstatement to include a fine of \$250 for failure to disclose arrest. Ms. Phipps seconded the motion and it carried unanimously.

Applicant V.S., #1744440 – Ms. Phipps moved to proceed with licensure by reinstatement with a Letter of Concern re: Alcohol and Criminal. Ms. Lockwood seconded the motion and it carried unanimously.

Applicant T.C., #1294777 – Ms. Lockwood moved to approve refresher program consisting of one hundred and sixty (160) hours of clinical training. Ms. Phipps seconded the motion and it carried unanimously.

Applicant S.H., #1729689 – Ms. Phipps moved to proceed with licensure by endorsement. Ms. Sipple seconded the motion and it carried unanimously.

Applicant J.F., #1276873 – Ms. Lockwood moved to require applicant to complete a Board approved refresher program consisting of eighty (80) hours of theory and one hundred and sixty (160) hours of clinical and proceed with licensure upon successful completion. Ms. Phipps seconded the motion and it carried unanimously.

Applicant K.F., #1729629 – Ms. Lockwood moved to proceed with licensure by examination. Ms. Phipps seconded the motion and it carried unanimously.

Applicant M.H., #1733111 – Ms. Lockwood moved to approve applicant to sit for NCLEX-PN and proceed with licensure upon receipt of passing scores pending signature of HB 675. Ms. Phipps seconded the motion and it carried unanimously.

CONSENT AGREEMENTS/ORDERS – ATTORNEY GENERAL'S OFFICE

(LPNI – Licensed Practical Nurse Investigative Case Number)

Ms. Sipple 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:

Farrington, Shaunda LPNI110004

Ms. Phipps seconded the motion and it carried unanimously.

LPNI120009 – Ms. Fletcher moved to close the case. Ms. Lockwood seconded the motion and it carried unanimously.

LPNI110330 – Ms. Phipps moved to renew license and send a letter to the licensee stating that renewal of license does not imply there will be no further sanctions. Ms. Fletcher seconded the motion and it carried unanimously.

LPNI080227 – Ms. Phipps moved to refer additional documentation to the cognizant to determine if further action is needed and refer back to the Full Board for reconsideration. Ms. Sipple seconded the motion and it carried unanimously.

LPNI110056 – Ms. Lockwood moved to close the case in the Assistant Attorney General's office due insufficient evidence. Ms. Fletcher seconded the motion and it carried unanimously.

LPNI120060 – Ms. Sipple moved to rescind the previous board motion from December 7-8, 2011 board meeting and refer to the Attorney General's office for an Interim Public Consent order. Ms. Fletcher seconded the motion and it carried unanimously.

LPNI120007 – Ms. Phipps moved to rescind the direct referral and 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. Lockwood seconded the motion and it carried unanimously.

MENTAL/PHYSICAL EXAMINATION REVIEW

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LPNI050261/110010/110533 – Ms. Phipps moved to refer to the Attorney General's office for a hearing, voluntary surrender or indefinite suspension based on MPE results. Ms. Lockwood seconded the motion and it carried unanimously.

LPNI120003 – Ms. Sipple moved to refer to the Attorney General's office for a hearing or private consent order to include probation for three (3) years and quarterly reports (employer, psychotherapy and personal). Ms. Phipps seconded the motion and it carried unanimously.

LPNI120053 – Ms. Phipps moved to refer to the Attorney General's office for a hearing or private reprimand requiring compliance with the Georgia Board of Nursing order. Ms. Sipple seconded the motion and it carried unanimously.

REQUEST FOR RECONSIDERATION

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI080004 – Ms. Phipps moved to close the case with a Letter of Concern re: Substandard Care. Ms. Fletcher seconded the motion and it carried unanimously.

LPNI110286 – Ms. Lockwood moved to refer to the Attorney General's office for revocation. Ms. Sipple seconded the motion and it carried unanimously.

EXECUTIVE SESSION

Ms. Sipple moved, Ms. Fletcher 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, February 15, 2012, 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.**

LEGAL SERVICES

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI120083 – Ms. Phipps moved to rescind the 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 unanimously.

LPNI120151 – Ms. Fletcher moved to comply with subpoena. Ms. Phipps seconded the motion and it carried unanimously.

LPNI100055 – Ms. Fletcher moved to release requested information to the Department of Insurance. Ms. Lockwood seconded the motion and it carried unanimously.

LPNI120125 – Ms. Sipple moved to close the case due to applicant's unresponsiveness and to send letter stating that the application has been withdrawn. Ms. Lockwood seconded the motion and it carried unanimously.

LPNI120171 – Ms. Lockwood moved to deny release of application and release quarterly reports (personal and employer). Ms. Sipple seconded the motion and it carried unanimously.

LPNI120133 – Ms. Sipple moved to request information from employer regarding the last day the applicant provided patient care between March 31, 2011 and November 10, 2011. Ms. Phipps seconded the motion and it carried unanimously.

PERSONAL APPEARANCES

(LPNI = Licensed Practical Nurse Investigative Case Number)

Applicant C.M., #1282156 – Applicant appeared before the Board and discussed the signing of HB 675 as a requirement for her application to be reevaluated for licensure.

LPNI120123 – Ms. Fletcher moved to uphold the previous motion from the December 7-8, 2011 board meeting. Ms. Lockwood seconded the motion and it carried unanimously.

LPNI120164 – Ms. Sipple moved to rescind the previous motion from the October 19-20, 2011 board meeting and proceed with licensure by examination. Ms. Lockwood seconded the motion and it carried unanimously.

LPNI120163 – Ms. Sipple moved to uphold the previous motion from the October 19-20, 2011 board meeting. Ms. Phipps seconded the motion and it carried unanimously.

Ms. Lockwood left the meeting.

LPNI120162 – Ms. Fletcher moved to uphold the previous motion from the December 7-8, 2011 board meeting. Ms. Phipps seconded the motion and it carried with Ms. Lockwood abstaining.

Ms. Lockwood rejoined the meeting.

INVESTIGATIONS

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI120135 – Ms. Sipple moved to release information as required by law. Ms. Phipps seconded the motion and it carried unanimously.

APPLICATION REVIEWS AND APPROVAL OF LICENSURE

(LPNI=Licensed Practical Nurse Investigative Case Number)

Ms. Phipps 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#1744862

LEGAL/DISCIPLINE COGNIZANT CASES REPORT

(LPNI=Licensed Practical Nurse Investigative Case Number)

Ms. Harte moved to ratify the Cognizant's recommendations and to close the following complaints:

LPNI120005	LPNI120115	LPNI120139	LPNI080191	LPNI080004	LPNI110352	LPNI110482
LPNI120110	LPNI080253	LPNI120113				

Ms. Phipps seconded the motion and it carried unanimously.

APPROVAL OF MINUTES

Ms. Lockwood moved to approve December 7-8, 2011 Board Meeting with corrections noted. Ms. Phipps seconded the motion and it carried unanimously.

Ms. Sipple moved to approve October 19-20, 2011 Board Meeting with corrections noted. Ms. Fletcher seconded the motion and it carried unanimously.

APPLICATION REVIEWS AND APPROVAL OF LICENSURE

Ms. Lockwood moved, Ms. Sipple seconded and the Board voted to approve applications for licensure for the months of December 8, 2011 through February 13, 2012 that were determined, pursuant to Board approved guidelines, to have met licensure requirements. (See Attached reports)

POLICIES

Ms. Fletcher moved to accept all consent orders/agreements prepared by the Assistant Attorney General of the Georgia Department of Law which have been drafted using the Board's motion with no changes or variations. The Executive Director will sign these orders/agreements with express permission of the Board President and presented to the Division Director for docketing upon receipt. Ms. Lockwood seconded the motion and it carried unanimously.

Ms. Fletcher moved to accept the proposed legal discipline grid for administrative disposition of misdemeanors for licensure. Ms. Phipps seconded the motion and it carried unanimously.

GEORGIA BOARD OF EXAMINERS OF LICENSED PRACTICAL NURSES POSITION STATEMENT REGARDING SENATE BILL 445

Ms. Lockwood moved to approve the following statement:

The purpose of the Georgia Board of Examiners of Licensed Practical Nurses is to protect, promote, and preserve the public health, safety, and welfare through regulation and control of practical nursing education and practice. The Board believes that

this can best be accomplished through the education and regulation of licensed practical nurses by members of the profession.

This Board is dedicated to the continued process improvement of practical nurse licensure, investigations, discipline and education.

We do not believe the best interest of the public would be served by removing this authority from the Georgia Board of Examiners of Licensed Practical Nurses.

Ms. Sipple seconded the motion and it carried unanimously.

There being no further business, the meeting adjourned at 7:05 p.m.


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


James Cleghorn, **Executive Director**

The minutes were recorded by Gwendolyn Dodson, Confidential Administrative Assistant, and approved on April 4, 2012.