

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, OCTOBER 17, 2012**

**MEMBERS PRESENT**

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

**MEMBERS ABSENT**

Krista Andrea Phipps, LPN

**STAFF PRESENT**

James Cleghorn, Executive Director  
Janet Jackson, Assistant Attorney General  
Susan Anderson, RN, MSN, Nursing Consultant-Education  
Ron Thomason, Staff Attorney, Legal Services  
Opie Bowen, Staff Attorney, Legal Services

Mrs. Mitchell called the meeting to order at 9:05 a.m. on Wednesday, October 17, 2012. A quorum to conduct disciplinary matters was determined to exist.

**PERSONAL APPEARANCE**

GC-LPNI130054

**VISITORS PRESENT (Visitors are excused unless scheduled for personal appearances during Executive Session.)**

Sharon Wilson Janet Hardaway

**EXECUTIVE DIRECTOR'S REPORT**

Mr. Cleghorn reported on the following administrative items:

- Status report on applications, complaints/compliance and final dispositions for August 2012 and September 2012
- LPN Association Meeting
- Rule Changes
- Uniform Licensure Requirement Comparison
- NURSIS Update
- NCSBN Committee Work

**PROPOSED RULE 400-2-.03.**

Ms. Sipple moved to post the proposed changes to 400-2-.04.

**Rule 400-2-.03 Applications. Amended.**

~~(1) Repealed.~~

~~(2) The application forms provided by the Board are to be completed in part by the applicant, signed and attested by a notary public and submitted with the proper fee and all required records to the appropriate agency according to the filing deadlines established by the Board.~~

~~(3) A recent passport type (3x3) photograph of the applicant signed at bottom is required.~~

~~(4) Part of the application is to be completed by an official of the nursing program from which the applicant graduated. If the applicant is applying by education equivalency, other official records will be required.~~

~~(5) Repealed.~~

~~(6) Only a person who has filed the required application, paid the required fee, and has been notified of acceptance by the Board shall be permitted to take the examination.~~

Ms. Fletcher seconded the motion and it carried unanimously.

Ms. Sipple moved that the formulation and adoption 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.

#### **PROPOSED RULE 400-2-.04.**

Ms. Sipple moved to post the proposed changes to 400-2-.04.

#### **Rule 400-2-.04 Interstate Endorsement Licensure.**

(1) An applicant for licensure by interstate endorsement must submit a completed application provided by the board and the following:

(a) Verification of active practice within the five (5) year period immediately preceding the application by submitting documentation of one of the following:

1. three (3) months or five hundred (500) hours of paid licensed practice as a practical/vocational nurse; or

2. completion of a Board-approved reentry/refresher program within the five (5) years immediately preceding the date of current application.

3. the requirement for active practice shall not apply to an applicant who:

(i) has graduated from an approved program within one (1) year of the date of application; or

(ii) was initially licensed within one (1) year of the date of the application.

(b) Certification under seal of the applicant's current licensure, in good standing, as a licensed practical nurse in another jurisdiction.

(c) The appropriate fee.

~~(d) A recent passport type photograph (3 x 3).~~

(e) Additional verification of any requirements or credentials, as the Board may deem necessary, including, but not limited to, the following:

1. Completion of a board approved practical nursing program or met the educational requirements in such other NCLEX-PN jurisdiction as deemed equivalent to requirements in Georgia.

2. Successful passing of the NCLEX-PN. However, if the applicant's license in another jurisdiction was not based on passing the national licensing examination, the Board will allow the applicant to endorse with examination, provided all other requirements for licensure by endorsement are met. Upon approval the applicant for endorsement by exam must take the next available licensure examination.

3. Verification of active practice as a licensed practical nurse within the last five years immediately preceding the application by submitting evidence of either three (3) months or five hundred (500) hours of paid licensed practice as a practical/vocational nurse or completion of a Board-approved reentry/refresher program within the five (5) years immediately preceding the date of current application.

4. Proof of high school graduation or G.E.D. Certificate.

Ms. Fletcher seconded the motion and it carried unanimously.

Ms. Lockwood moved that the formulation and adoption 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.

### **PROPOSED RULE 400-3.**

Ms. Sipple moved to post the proposed changes to 400-3.

#### **400-3-.01 General Requirements. Information.**

(1) A new nursing education program means the initial establishment of a nursing education program or the re-establishment of a closed nursing program. A new nursing education program is approved for one location or address only.

~~(a) A new nursing education program is approved for one location or address only.~~

~~(b) Deleted.~~

(2) A new nursing education program in this state shall have applied for and received Board approval as provided in Rule 400-3-.02 prior to the initial enrollment of students.

(a) The Board Laws and Rules shall be followed in the development of a new nursing education program.

~~(b) The Board shall be actively involved in the development of a new nursing education program as provided in Rule 400-3-.02.~~

~~(c)~~(b) Graduates of a nursing education program which does not have Board approval shall be denied admission to the licensure examination.

~~(d)~~(c) It is a misdemeanor for any individual, corporation, or association to conduct a nursing education program in this state without Board approval pursuant to O.C.G.A. Sec. 43-26-42(7).

(3) Any program, which has had Board approval as of the effective date of this Rule shall be permitted to continue operation, unless its approval has been withdrawn.

(4) Any program whose approval status has been withdrawn pursuant to Rule 400-3-.03(5), must apply for approval as a new nursing education program as provided in Rule 400-3-.02.

(5) All nursing education programs and affiliated campus locations will be issued the same NCSBN program code number.

(6) Program Approval Statuses:

(a) Developmental Approval. The Board may grant Developmental Approval to a proposed nursing education program when compliance with Board Laws and Rules have been demonstrated pursuant to Rule 400-3-.02.(4)

(b) Provisional Approval. The Board may grant Provisional Approval to a new nursing education program when compliance with Board Laws and Rules have been demonstrated pursuant to Rule 400-3-.02(8).

(c) Full Approval. The Board shall grant Full Approval to a nursing education program which has demonstrated compliance with all Board Laws and Rules.

1. Full Approval may be granted to a new nursing education program pursuant to Rule 400-3-.02(10).

2. The Board shall continue Full Approval of a nursing education program, or grant Full Approval to a nursing education program on Conditional Approval, when review of the most recent annual report, the most recent site visit report, the most recent annualized licensing examination passing percentage, for its graduates on their initial examination and any other pertinent data reveals compliance with all Board Laws and Rules.

3. Full Approval is continuous unless the program is notified in writing to the contrary by the board.

(d) Conditional Approval. The Board may impose Conditional Approval on a nursing education program which has demonstrated noncompliance with any of the Board Laws or Rules.

1. Conditional Approval may be imposed on a new nursing education program pursuant to Rule 400-3-.02(11).

2. Conditional Approval may be imposed on a nursing education program when review of the most recent annual report, the most recent site visit report, the most recent annualized licensing examination passing percentage for its graduates on their initial examination, or any other pertinent data reveals noncompliance with Board Laws or Rules.

#### **400-3-.02 New Nursing Education Program Development.**

(1) Definitions.

(a) "Affiliating Clinical Facility" refers to a contracted health care agency utilized by a sponsoring agency for clinical experience of the students enrolled in a Board-approved nursing education program.

(b) "Approved Nursing Education Program" located in this state means a nursing education program approved by the board as meeting criteria established by the board. An "approved nursing education program" located outside this state means a nursing education program that the board has determined to meet criteria similar to and not less stringent than criteria established by the board. In order to be approved by the board, a nursing education program must be one that is offered by:

1. An unit of the University System of Georgia accredited by the Commission on Colleges of the Southern Association of Colleges and Schools;

2. An institution of the Technical College ~~system~~ System of Georgia;

3. A ~~nonprofit~~ postsecondary institution of higher education that is accredited by a regional accrediting agency recognized by the United State Department of Education; or

4. A postsecondary institution of higher education that is not accredited in accordance with subparagraph (3) of this paragraph, but whose curriculum has been determined by the board to meet criteria similar to and not less stringent than criteria established by the board for other approved nursing education programs.

(c) "Campus laboratory" refers to the area in the classroom building which has been designed and organized to simulate the actual hospital patient care setting and where students shall obtain initial practice on each other and/or mannequins prior to experience at the affiliating clinical facilities.

(d) "Clinical learning focus objectives" refer to those outcomes and competencies to be gained by student assignment to a specific affiliating clinical facility and/or area within the agency.

(e) "Clinical rotation plan" refers to the schedule by which students shall be assigned to and rotated through the appropriate experiences available at each affiliating clinical facility. ~~(The quarterly Clinical Rotation Plan), and to the plan by which students shall be assigned to and rotated through all of the affiliating clinical facilities during the entire nursing education program (The Master Clinical Rotation Plan).~~

(f) ~~"Learning Resource Library"~~ refers to published literature, audiovisual aids, and all other educational materials available to faculty and students in the nursing education program.

(g) "Master Curriculum Plan" ~~Plan~~ refers to the written summary showing the sequence of all courses offered in the nursing education program. It includes the number of contact or actual clock hours for each theory and clinical component of each course, the total hours of theoretical and clinical per ~~quarter~~ semester, and the total hours of theory and clinical for the entire program.

1. Theory includes those learning activities which occur in the classroom and campus 'laboratory setting.

2. Clinical includes pre- and post-conferences, actual patient care experience, and other patient-centered learning activities which occur in the clinical facility.

~~(h) A "Nursing Education Program" refers to a Board-approved program of practical nursing which has met the requirements of Board Laws and Rules in its establishment and operation in this state.~~

~~(i) (h) "Sponsoring Agency" refers to a parent institution of the nursing education program. The parent institution shall provide financial and administrative support during the establishment and operational existence of a Board-approved nursing education program. Any change in the parent institution's accreditation or affiliation shall be reported to the Board within 30 days of such change.~~

~~(j) (i) "Survey of need" refers to statements from potential affiliating clinical facilities' nursing directors on agency letterhead which describe the following: each agency's current staffing patterns, the current number of vacancies per type of nursing personnel category; and the projected utilization of each level of nursing personnel within the facility in response to the changes occurring in the health care delivery system.~~

1. Each agency's current staffing patterns;

2. The current number of vacancies per type of nursing personnel category;

3. The projected utilization of each level of nursing personnel within the facility

~~(k) (i) "Syllabus" refers to a written summary of a course in the nursing education program. It includes the course title and number, its credit distribution, placement in the curriculum sequence, prerequisite and corequisite courses, a course description, learning goals or objectives, related learning activities, and clinical experience, facility, if appropriate.~~

(2) At least twelve (12) months prior to the ~~proposed~~ initial enrollment of students, ~~in the first courses,~~ the administrator of a sponsoring agency considering establishment of a nursing-education program must submit a letter to the Board indicating intent to develop a program. The letter of intent shall include the following information:

(a) ~~A documentation of need for graduates of the program (Survey of Need) which demonstrates current needs cannot be met by existing nursing education programs within a thirty (30) fifty (50) mile radius or by satellites of those programs within a sixty (60) mile radius of the proposed establishment site;~~

(b) Evidence that adequate clinical facilities are available for student experience;

1. Each potential affiliating clinical facility should submit a letter:

(i) expressing willingness to contract with the proposed new nursing education program for student experience; and

- (ii) describing the specifics about nursing programs already utilizing the facility;
  - (iii) describing how it shall assure that the new program's clinical experience needs shall be met without overloading the agency;
2. At least three (3) licensed hospital or nursing home beds must be available for every one (1) student practical nurse at any given time;
  3. At least 40% of the total required clinical experience hours must be obtained in the hospital setting;
- (c) The availability of classroom and campus laboratory facilities and a ~~learning resource~~ library for the program;
  - (d) Evidence of financial resources for the planning, implementation and continuation of the program; and
  - (e) The estimated number of qualified applicants for initial and future classes. ~~as based upon a survey of the local community's interest in practical nursing education.~~
- (3) At least ten (10) months prior to offering the first courses initial enrollment of students, the administrator of the sponsoring agency shall submit to the Board the following information:
- (a) The official name of the proposed ~~new~~ nursing education program;
  - (b) The anticipated starting date of the program, the number of classes to be admitted per calendar year and the time(s) of admission of those classes, and the anticipated maximum number of students to be admitted per class;
  - (c) The ~~official~~ mailing address and ~~telephone number~~ other contact information for the program; ~~and if different, the actual street location address for the classroom/laboratory/library building;~~
  - (d) A completed Clinical Facilities Information Sheet provided by the board which includes all requested ~~specifics~~ information about the affiliating agencies;
  - (e) The Clinical Facility Self-Study Report from each proposed clinical facility ~~affiliation which demonstrates compliance with board rules and which includes a current contract agreement between the sponsoring agency and the clinical facility; and all other requested documentation;~~
  - (f) ~~City/County maps which have been clearly marked to identify the actual locations of the nursing education program and each of its affiliating clinical facilities.~~
- (4) After the Board has received and reviewed the letter of intent and the materials pursuant to Rule 400-3-.02(2) and (3), the Board shall conduct site visits to the proposed ~~new~~ nursing education program and all of its affiliating clinical facilities.
- (a) If compliance with Board Laws and Rules has been demonstrated, the Board will grant Developmental Approval.
  - (b) If Developmental Approval is not granted, a written explanation shall be provided to the proposed ~~new~~ nursing education program.
- (5) At least eight (8) months prior to the initial enrollment of students ~~in the first courses~~, the following materials shall be submitted as Report I:
- (a) The administrative structure of the sponsoring agency which demonstrates the lines of authority for the new nursing education program;
  - (b) A Nursing Faculty Qualification Record and ~~a copy of the current Georgia Registered Nurse license~~ evidence of current Georgia licensure as a registered nurse which demonstrates compliance with Rule 400-3-.08, of the Practical Nursing Education Program Director or consultant who has been employed to continue the initial development of the new nursing education program;
  - (c) The program purpose, philosophy, and student terminal objectives pursuant to Rule 400-3-.06;

- (d) A Master Curriculum Plan as described in Rule 400-3-.02(1)(f) and consistent with Rule 400-3-.07;
- (e) The syllabi for all courses in the curriculum as described in Rule 400-3-.02(1)(j);
- (f) A Access to school/program catalog;
- ~~(g) All program and student policies shall include those which are specific to the nursing education program pursuant to Rule 400-3-.10(2). The policies should include: admission, academic standards, curriculum, student grievance, Occupational Safety and Health Administration Guidelines, and student health. as required by Rule 400-3-.10 (2).~~
- (6) At least four (4) months prior to the initial enrollment of students ~~in the first courses~~, the following materials pertaining to each course to be offered during the first half of the curriculum shall be submitted as Report II:
- (a) The specific theoretical and clinical objectives/competencies for each unit of study within each course;
- ~~(b) The course/teacher/clinical experience evaluation form(s) and procedure(s) which shall be used quarterly to critique all program learning activities and student/teacher interactions; AND~~
- ~~(c) (b) The student learning and progress evaluation procedures. and forms which shall be used in an ongoing critique of each student's theoretical and clinical progress toward each course's objectives and competencies.~~
- (7) At least one (1) month prior to the initial enrollment of students ~~in the first courses~~, the completed Nursing Faculty Summary Sheet, and the Nursing Faculty Qualification Records, and copies of current Georgia Registered Nurse licenses evidence of Georgia Registered Nurse licensure of the Practical Nursing Department Director and all nursing faculty shall be submitted as Report III. All nursing faculty must demonstrate the qualifications as set forth in Rule 400-3-.08.
- (8) Provisional Approval shall be considered after the Board; reviews Reports I, II, and III and must be granted prior to the admission enrollment of students.
- (a) If Provisional Approval is not granted, an explanation shall be included in the report to the school.
- ~~(b) A nursing education program with Provisional Approval is required to comply with all Board Laws and Rules pertaining to nursing education programs.~~
- ~~(c) (b) A new program granted Provisional Approval will remain on Provisional Approval for two years or until its first graduating class has taken its initial licensing examination, whichever is earlier, and the scores report is examination results are reviewed by the Board.~~
- (9) No later than one (1) month after the initial enrollment of students ~~in the first courses~~, the following materials shall be submitted as Report IV:
- (a) The actual start date of the program;
- (b) The actual number of students enrolled;
- (c) The projected completion/graduation date of the first graduates of the program; ~~and~~
- ~~(d) The graduate evaluation forms and procedures which shall be used within the first year after graduation of each class to obtain job entry level performance critiques from all graduates and their employers.~~
- (10) The program shall be eligible for Full Approval if it has demonstrated compliance with all Board Laws and Rules, and if 80% of its first initial graduating class have passed their initial licensing examination after graduation during the period of Provisional Approval. ~~Site visits to the program shall be conducted at least annually by the Board representatives until Full Approval is granted.~~

(11) The program shall be placed on Conditional Approval if it has demonstrated noncompliance with any of the Board Laws or Rules, ~~OR~~ or if less than 80% of its ~~first~~ initial graduating class have passed their initial licensing examination during the period of Provisional Approval.

(a) ~~Conditional Approval status shall continue for one additional year. During this year, While on conditional approval,~~ the program must demonstrate compliance with all Board Laws and Rules ~~AND~~ and the program must achieve a 80% pass rate of its graduates who have taken their initial licensing examination. ~~in order to receive Full Approval.~~

(b) Failure to achieve Full Approval within ~~this~~ a three year period shall result in Withdrawn Approval pursuant to Rules 400-3-.03 and 400-3-.04.

(12) Graduates of a nursing education program which does not have Board approval shall be denied admission to the licensure examination.

(13) No later than six (6) months after the initial enrollment of students ~~in the first courses~~, the following materials pertaining to each course to be offered during the remainder of the program's curriculum shall be submitted as Report V.

(a) The specific theoretical and clinical objectives/competencies for each unit of study within each course

(b) Written plans for the utilization of affiliating clinical facilities as described in board rules.

(c) ~~The student learning and progress evaluation procedures and forms which shall be used in an ongoing critique of each student's academic and clinical progress toward each course's objectives and competencies,~~ if different from materials submitted in Report II.

(14) It is the responsibility of the sponsoring agency to electronically submit ~~two (2) copies of~~ each required report to the board at least ~~three (3)~~ four (4) weeks prior to the scheduled board meeting at which the report is to be considered.

#### ~~400-3-.03 Approval Status Categories and Procedures. Amended.~~

~~(1) Developmental Approval. The Board may grant Developmental Approval to a proposed nursing education program when compliance with Board Laws and Rules have been demonstrated pursuant to Rule 400-3-.02.(4)~~

~~(2) Provisional Approval. The Board may grant Provisional Approval to a new nursing education program when compliance with Board Laws and Rules have been demonstrated pursuant to Rule 400-3-.02(8).~~

~~(3) Full Approval. The Board shall grant Full Approval to a nursing education program which has demonstrated compliance with all Board Laws and Rules.~~

~~(a) Full Approval may be granted to a new nursing education program pursuant to Rule 400-3-.02(10).~~

~~(b) The Board shall continue Full Approval of a nursing education program, or grant Full Approval to a nursing education program on Conditional Approval, when review of the most recent annual report, the most recent site visit report, the most recent annualized licensing examination passing percentage, for its graduates on their initial examination and any other pertinent data reveals compliance with all Board Laws and Rules.~~

~~(c) Full Approval is continuous unless the program is notified in writing to the contrary by the board.~~

~~(4) Conditional Approval. The Board may impose Conditional Approval on a nursing education program which has demonstrated noncompliance with any of the Board Laws or Rules.~~

~~(a) Conditional Approval may be imposed on a new nursing education program pursuant to Rule 400-3-.02(11).~~

~~(b) Conditional Approval may be imposed on a nursing education program when review of the most recent annual report, the most recent site visit report, the most recent annualized licensing examination passing percentage for its graduates on their initial examination, or any other pertinent data reveals noncompliance with Board Laws or Rules.~~

~~1. The Board shall notify the program in writing of the cited deficiencies and the Board's recommendations and suggestions for correcting the deficiencies.~~

~~2. The program must respond in writing to the Board's recommendations and suggestions within six (6) weeks of receipt of the notification and must include a plan of action to correct the cited deficiencies. The plan of action should be implemented immediately by the program.~~

~~3. If the deficiencies are not corrected within the time period specified by the Board in its response to the program's plan of action (but no longer than six (6) months), the program shall be placed on Conditional Approval.~~

~~4. If the deficiencies are corrected within the Board specified time period (but no longer than six (6) months), the program shall be granted Full Approval.~~

~~(c) Conditional Approval status shall be conveyed to the program in writing.~~

~~1. The program has ninety (90) days from the date of the notification to request in writing a reevaluation by the Board. The program must provide documentation of corrected deficiencies for consideration of reinstatement of the program to Full Approval status.~~

~~2. If a reevaluation request is not made, the approval status decision of the Board shall remain in effect.~~

~~(d) If the deficiencies have not been corrected within one (1) year from the date of Conditional Approval status notification, the program's approval status shall be Withdrawn.~~

~~(e) Programs placed on Conditional Approval status must notify currently enrolled and potential students in writing of the program's Conditional Approval status. This statement must include the possibility that the program may have its approval Withdrawn at the end of one (1) year from the date of Conditional Approval notification, and that the Board may require the transfer of remaining students to other nursing programs to complete their programs of study.~~

~~(5) Withdrawn Approval. The Board may Withdraw Approval status from a nursing education program which has demonstrated continued noncompliance with any of the Board Laws or Rules.~~

~~(a) The Board may Withdraw Approval from a new nursing education program as provided in Rule 400-3-.02(11)(b).~~

~~(b) The Board may Withdraw approval when a nursing education program fails to correct documented deficiencies within one (1) year following the date of written notification of Conditional Approval status.~~

~~(c) Withdrawn Approval is sent to the program by certified mail.~~

~~1. The program has ninety (90) days from the date of the notification to request, in writing, a reevaluation by the Board. The program must provide documentation of corrected deficiencies for consideration of reinstatement of the program to Conditional or Full Approval status.~~

~~i. If a reevaluation request is made and there is documentation to verify that appropriate corrective actions have been implemented, the Board may grant reinstatement of Conditional Approval for up to six (6) months.~~

~~ii. If a reevaluation request is made and there is documentation to verify correction of all deficiencies, the Board may grant Full Approval.~~

~~iii. If a reevaluation request is not made, the approval status decision of the Board shall remain in effect.~~

~~2. The notification will state the effective date of the Withdrawal of Approval. Within thirty (30) days of receipt of the notification, the program will submit to the Board a written plan for graduating all students who had been admitted before approval status was withdrawn as provided in Rule 400-3-.15.~~

~~3. Any program whose approval status has been Withdrawn, must apply for approval as a new nursing education program as provided in Rule 400-3-.02.~~

#### **400-3-.04 Changes in Approval Status Categories and Grounds. Amended.**

~~(1) With any change in approval status the program sponsors may present any evidence for the Board to consider addressing the alleged deficiencies in writing and/or appearance before the board.~~

~~(2) The Board may grant or impose the following changes in approval status categories.~~

~~(a) From Developmental Approval to Provisional Approval for a new nursing education program pursuant to Rule 400-3-.02(8).~~

~~(b) From Provisional Approval to Full Approval for a new nursing education program pursuant to Rule 400-3-.02(10).~~

~~(c) From Provisional Approval to Conditional Approval for a new nursing education program pursuant to Rule 400-3-.02(11).~~

~~(d) From Full Approval to Conditional Approval for a nursing education program pursuant to Rule 400-3-.03(4).~~

~~(e) From Conditional Approval to Full Approval for a nursing education program pursuant to Rule 400-3-.03(4).~~

~~(f) From Conditional Approval to Withdrawn Approval for a nursing education program pursuant to Rule 400-3-.02(11)(b) and 400-03-3(4).~~

~~(g) From Withdrawn Approval to Conditional Approval or Full Approval for a nursing education program pursuant to Rule 400-3-.03(5)(c).~~

~~(3) The following deficiencies shall be inclusive of, but not limited to, those which the Board considers grounds for a change in approval status if the deficiencies are not corrected within the time period specified in Rules 400-3-.02 and 400-3-.03.~~

~~(a) Any curriculum change(s) made without Board notification pursuant to board rules.~~

~~(b) Failure to adhere to required theoretical content pursuant to Rule 400-3-.07.~~

~~(c) Failure to adhere to required educational facilities, resources, and support services pursuant to board rules.~~

~~(d) Failure to adhere to required school rules and policies pursuant to board rules.~~

~~(e) Failure to adhere to required nursing faculty qualifications pursuant to Rules 400-3-.08 and 400-3-.09.~~

~~(f) Failure to adhere to required clinical experience guidelines pursuant to board rules.~~

~~(g) Failure to adhere to required instructor/student ratios pursuant to Rule 400-3-.08.~~

~~(h) Failure to submit required reports and/or maintain required records pursuant to board rules.~~

~~(i) Failure to maintain an annualized licensing examination passing percentage of 80% or greater for the program's graduates on their initial examination pursuant to Rule 400-3-.03.~~

#### **400-3-.05 Organization and Administration. Amended.**

~~(1) A written organizational plan shall indicate the lines of authority, responsibility and communication of the nursing education program to its governing body; to its clinical affiliates; to its advisory committee, and within the nursing education program itself.~~

~~(2) The authority and responsibility for the administration of the nursing education shall be placed with the registered nurse program director as approved in Rule 400-3-.08(3).~~

~~(3) Any agency or institution that is utilized by a practical nursing education program shall be one that is authorized to conduct business in the State of Georgia.~~

~~(4) The length of the curriculum shall be consistent with the requirements as provided in Rule 400-3-.07(3).~~

~~(5) The availability of faculty for directing and critiquing students during theoretical and clinical learning activities shall be consistent with the requirements as provided in Rules 400-3-.08(1) and 400-3-.09(7).~~

(1) Conditional Approval may be imposed on a new nursing education program pursuant to Rule 400-3-.02(11).

(2) Conditional Approval may be imposed on a nursing education program when review of the most recent annual report, the most recent site visit report, the most recent annualized licensing examination passing percentage for its graduates on their initial examination, or any other pertinent data reveals noncompliance with Board Laws or Rules.

(a) The Board shall notify the program in writing of the cited deficiencies and the Board's recommendations and suggestions for correcting the deficiencies.

(b) The program must respond in writing to the Board's recommendations and suggestions within six (6) weeks of receipt of the notification and must include a plan of action to correct the cited deficiencies. The plan of action should be implemented immediately by the program.

(c) If the deficiencies are not corrected within the time period specified by the Board in its response to the program's plan of action (but no longer than six (6) months), the program shall be placed on Conditional Approval.

(d) If the deficiencies are corrected within the Board-specified time period (but no longer than six (6) months), the program shall be granted Full Approval.

(3) Conditional Approval status shall be conveyed to the program in writing.

(a) The program has ninety (90) days from the date of the notification to request in writing a reevaluation by the Board. The program must provide documentation of corrected deficiencies for consideration of reinstatement of the program to Full Approval status.

(b) If a reevaluation request is not made, the approval status decision of the Board shall remain in effect.

(4) If the deficiencies have not been corrected within one (1) year from the date of Conditional Approval status notification, the program's approval status shall be Withdrawn.

(5) Programs placed on Conditional Approval status must notify currently enrolled and potential students in writing of the program's Conditional Approval status. This statement must include the possibility that the program may have its approval Withdrawn at the end of one (1) year from the date of Conditional Approval notification, and that the Board may require the transfer of remaining students to other nursing programs to complete their programs of study.

(6) Withdrawn Approval. The Board may Withdraw Approval status from a nursing education program which has demonstrated continued noncompliance with any of the Board Laws or Rules.

(a) The Board may Withdraw Approval from a new nursing education program as provided in Rule 400-3-.02(11)(b).

(b) The Board may Withdraw approval when a nursing education program fails to correct documented deficiencies within one (1) year following the date of written notification of Conditional Approval status.

(c) Withdrawn Approval is sent to the program by certified mail.

1. The program has ninety (90) days from the date of the notification to request, in writing, a reevaluation by the Board. The program must provide documentation of corrected deficiencies for consideration of reinstatement of the program to Conditional or Full Approval status.

(a) If a reevaluation request is made and there is documentation to verify that appropriate corrective actions have been implemented, the Board may grant reinstatement of Conditional Approval for up to six (6) months.

(b) If a reevaluation request is made and there is documentation to verify correction of all deficiencies, the Board may grant Full Approval.

(c) If a reevaluation request is not made, the approval status decision of the Board shall remain in effect.

2. The notification will state the effective date of the Withdrawal of Approval. Within thirty (30) days of receipt of the notification, the program will submit to the Board a written plan for graduating all students who had been admitted before approval status was withdrawn as provided in Rule 400-3-.15.

3. Any program whose approval status has been Withdrawn, must apply for approval as a new nursing education program as provided in Rule 400-3-.02.

(7) With any change in approval status the program sponsors may present any evidence for the Board to consider addressing the alleged deficiencies in writing and/or appearance before the board.

(8) The Board may grant or impose the following changes in approval status categories.

(a) From Developmental Approval to Provisional Approval for a new nursing education program pursuant to Rule 400-3-.02(8).

(b) From Provisional Approval to Full Approval for a new nursing education program pursuant to Rule 400-3-.02(10).

(c) From Provisional Approval to Conditional Approval for a new nursing education program pursuant to Rule 400-3-.02(11).

(d) From Full Approval to Conditional Approval for a nursing education program pursuant to Rule 400-3-.03(4).

(e) From Conditional Approval to Full Approval for a nursing education program pursuant to Rule 400-3-.03(4).

(f) From Conditional Approval to Withdrawn Approval for a nursing education program pursuant to Rule 400-3-.02(11)(b) and 400-03-3(4).

(g) From Withdrawn Approval to Conditional Approval or Full Approval for a nursing education program pursuant to Rule 400-3-.03(5)(c).

(9) The following deficiencies shall be inclusive of, but not limited to, those which the Board considers grounds for a change in approval status if the deficiencies are not corrected within the time period specified in Rules 400-3-.02 and 400-3-.03.

(a) Any curriculum change(s) made without Board notification pursuant to board rules.

(b) Failure to adhere to required theoretical content pursuant to Rule 400-3-.07.

(c) Failure to adhere to required educational facilities, resources, and support services pursuant to board rules.

(d) Failure to adhere to required school rules and policies pursuant to board rules.

(e) Failure to adhere to required nursing faculty qualifications pursuant to Rules 400-3-.08 and 400-3-.09.

(f) Failure to adhere to required clinical experience guidelines pursuant to board rules.

(g) Failure to adhere to required instructor/student ratios pursuant to Rule 400-3-.08.

(h) Failure to submit required reports and/or maintain required records pursuant to board rules.

(i) Failure to maintain an annualized licensing examination passing percentage of 80% or greater for the program's graduates on their initial examination pursuant to Rule 400-3-.03.

#### **400-3-.05 Organization and Administration.**

(1) A written organizational plan shall indicate the lines of authority, responsibility and communication of the nursing education program to its governing body; to its clinical affiliates; to its advisory committee, and within the nursing education program itself.

(2) The authority and responsibility for the administration of the nursing education shall be placed with the ~~registered nurse~~ program director as approved in Rule 400-3-.08(3).

(3) Any agency or institution that is utilized by a practical nursing education program shall be one that is authorized to conduct business in the ~~State of Georgia~~ state of its location.

(4) The length of the curriculum shall be consistent with the requirements as provided in Rule 400-3-.07(3).

(5) The availability of faculty for directing and critiquing students during theoretical and clinical learning activities shall be consistent with the requirements as provided in Rules 400-3-.08(1) and 400-3-.09(7).

#### **400-3-.06 Purpose, Philosophy, and Objectives. Amended.**

(1) The nursing education program's purpose, philosophy, and objectives shall be written by the nursing faculty and approved by the school's administration and the program's advisory committee. They shall form the basis for planning, implementing, and evaluating the total program curriculum.

~~(2) The Purpose of the practical nursing education program shall be to prepare qualified applicants to become graduates of the program who shall:~~

~~(a) be theoretically, clinically, ethically, and legally safe entry level practitioners of licensed practical nursing;~~

~~(b) pass the licensure examination; AND~~

~~(c) assist in meeting the practical nursing health care needs of the community.~~

~~(3) The Philosophy of the nursing education program shall express the program's beliefs and values about the meanings of:~~

~~(a) health care and the health care team;~~

~~(b) the roles of practical nursing as it is constantly evolving;~~

~~(c) education, in general;~~

~~(d) practical nursing education specifically; AND~~

~~(e) the roles of students and faculty in the nursing education process.~~

(4) (2) The objectives of the nursing education program shall describe the measurable terminal learning outcomes for students who shall complete the entire course of study. ~~The terminal objectives shall include the theoretical (cognitive), clinical (psychomotor), and emotional (affective) learning which shall occur in the student practical nurse prior to graduation from the program.~~

#### **400-3-.07 Curriculum. Amended.**

(1) Curriculum refers to a total written plan of theoretical and clinical learning activities which shall result in the attainment of the nursing education program's objectives by graduates of the program.

(a) The curriculum shall be developed and presented on a post-secondary educational level.

(b) It shall be developed and presented by the faculty utilizing sound educational concepts and methods of teaching. These shall include the appropriate sequencing, correlating of theoretical and clinical experiences, and integrating of learning throughout the entire program.

(c) It shall prepare the students to safely perform the activities and to function in the situations described in the program's objectives.

(d) A Master Curriculum Plan shall be developed pursuant to Rule 400-3-02(1)(f).

1. A copy shall be retained for each class record;

2. A copy shall be made available to all students enrolled in the program;

3. A copy shall be provided to the Board in the program's annual report and the Practical Nursing Program's Self-Study Report and at any time that there shall be a proposed revision.

(e) A Clinical Rotation Plan shall be developed pursuant to Rule 400-3-.02(l)(d).

1. A copy shall be retained for each class' record;

2. A copy shall be made available to all students enrolled in the program;

3. A copy shall be made available to all appropriate affiliating clinical facilities;

4. A copy shall be provided to the Board in the program's annual report and the Practical Nursing Program Self-Study Report and at any time that there shall be a revision of the one on file in the Board office.

(2) The curriculum emphasis should be on the utilization of the nursing process in the provision of care by practical nurses to patient/clients and their families throughout the life cycle in a variety of health care settings for:

(a) the promotion of health;

(b) the prevention of illness and injury; AND

(c) the restoration and maintenance of physical and mental health.

(3) Length of the Curriculum. The program of study shall be consistent with the program's learning objectives and methods of instruction, except that:

(a) a full time program shall NOT be conducted longer than eighteen (18) months; AND

(b) a part time program shall NOT be conducted longer than thirty-six (36) months.

(4) Curriculum Objectives. There shall be written statements of specific, measurable, theoretical and clinical outcomes and competencies for each course in the curriculum which shall be achieved by students enrolled in the program. The curriculum objectives shall be in accordance with the nursing education program objectives.

(5) Minimum Curriculum Content. An approved program of instruction or its equivalent shall contain no less than six hundred eighty-five (685) clock hours of theoretical nursing and general education content, and no less than four hundred eighty-five (485) clock hours of planned clinical practice for each student. Said program shall include the following subjects:

(a) Theoretical Content:

1. Required Content - The curriculum must include, but is not limited to, the following theoretical content areas and must contain a total of no less than six hundred eighty-five (685) clock hours.

1. (i) Anatomy and Physiology
2. (ii) Basic Microbiology
3. (iii) Medical Terminology
4. (iv) Basic Nutrition
5. (v) Basic Pharmacology
6. (vi) Medication Administration
7. (vii) Principles of IV Therapy
8. (viii) Legal and Ethical Healthcare Issues
9. (ix) Professional and Customer Relationships
10. (x) The Nursing Process and Critical Thinking Skills
11. (xi) Physical Assessment Techniques
12. (xii) Cardiopulmonary Resuscitation
13. (xiii) Principles and Skills of Nursing Practice
14. (xiv) Basic Emergency Care
15. (xv) Geriatric Nursing Care
16. (xvi) End of Life Nursing Care
17. (xvii) Medical Surgical Nursing Care
18. (xviii) Obstetrical Nursing Care
19. (xix) Pediatric Nursing Care
20. (xx) Mental Health and Illness Nursing Care
21. (xxi) Community Health Nursing Care and Health Care Delivery Systems
22. (xxii) Leadership and Management Skills
23. (xxiii) English
24. (xxiv) Math
25. (xxv) Psychology
26. (xxvi) Sociology

~~27.~~ (xxvii) Chemistry

~~28.~~ (xxviii) Computer Literacy

~~29.~~ (xxix) National Practical Nursing Licensure Examination Preparation

(b) Required Clinical Experience: All of the following clinical experience areas must be provided in the curriculum:

1. Basic Emergency Care
2. Professional and Customer Relations
3. Physical Assessment Techniques for All Body Systems
4. Skills and Principles of Nursing Practice
5. Medication Administration
6. Intravenous Therapy Techniques
7. Health Maintenance and Prevention of Illness and Injury
8. Documentation of Nursing Care
9. Nursing Care of Aging Clients
10. Nursing Care of the Terminally Ill
11. Medical Surgical Nursing Care
12. Obstetrical Nursing Care
13. Pediatric Nursing Care
14. Mental Health and Illness Nursing Care
15. Community Health Nursing Care
16. Nursing Leadership and Management.

(6) The curriculum's effectiveness shall be evaluated at the specific intervals indicated by the Board to determine and verify in writing the attainment of the program's objectives.

(a) The course/teacher/clinical experience evaluations shall be conducted each quarter / semester pursuant to board rules.

(b) The individual student theoretical and clinical learning and progress evaluations shall be conducted for each course pursuant to board rules.

(c) The graduate evaluations shall be conducted for each graduate pursuant to board rules.

**400-3-.08 Nursing Faculty. Amended.**

(1) Number of Nursing Faculty. An adequate number of nurse faculty members, as necessary for quality education, must be employed to carry out the nursing education program's purpose and objectives.

(a) Such an adequate number shall be reasonably proportionate to the:

1. Number of students enrolled;
2. Frequency of admissions;
3. Education and experience of faculty members;
4. Number and location of affiliating clinical facilities; AND
5. Total responsibilities of the faculty.

(b) The availability of faculty for directing and critiquing students during clinical learning activities shall be based upon criteria which ensures the safety of patients/clients; AND

1. Shall be documented in writing at a ratio of NOT more than ~~twelve (12)~~ ten (10) students per one (1) instructor. ~~However, beginning July 1, 1999 the ratio must be ten (10) students per one (1) instructor.~~

2. The sponsoring agency shall consider a lower ratio when clinical space, patient ~~activity~~ acuity and patient census are insufficient to accommodate the ~~twelve (12)~~ ten (10) to one (1) ratio. ~~Until July 1, 1999 when the ratio is no more than ten (10) students to one (1) instructor.~~

(c) The majority of nursing faculty shall be full time employees of the sponsoring agency.

(2) Qualifications for Employment.

(a) The nursing education program director and all nursing faculty members:

1. Shall hold a current Georgia license in good standing from the initial date of employment as a registered professional nurse.
2. Shall have had a minimum of three (3) years of licensed nursing practice within the preceding ~~7~~ seven (7) years.

(b) In addition to the qualifications set forth in subsection (a) above, the director of a nursing education program, ~~employed after July 1, 1995,~~ shall have at least a baccalaureate degree, (~~preferably~~ in nursing), and one (1) year of teaching experience in a nursing education program, (included in the required three years of nursing practice).

(c) The program director and each member of the nursing faculty shall maintain professional competence through such activities as continuing education programs, nursing practice, and/or academic study courses, and shall submit documentation of these activities in writing annually to the Board in the program's Annual Report, or Practical Nursing Program's Self-Study Report.

(d) The sponsoring agency shall submit evidence that all faculty members meet minimum requirements of the Board pursuant to Rule 400-3-.08. A Nursing Faculty Qualification Record and a copy of the current Georgia Registered Nurse license must be submitted to the Board within one (1) month of the faculty member's employment.

(3) Faculty Functions.

(a) ~~The nursing education program director shall supervise all nursing faculty, shall be the administrative coordinator for the program and shall be the direct communicator with the Board.~~

~~1. Shall supervise all nursing faculty;~~

~~2. Shall be the administrative coordinator for the program, and as such, shall be the direct communicator with the Board;~~

~~3. The sponsoring agency administrator shall allot adequate time to the director to carry out activities related to the coordination of the program.~~

~~(b) All members of the~~ The nursing faculty shall participate in the development, implementation, instruction, evaluation, and revision of the entire nursing education program. ~~That participation shall be documented in writing.~~ The faculty shall:

1. Seek recommendations from the practical nursing program's advisory committee for establishing policies for the recruitment, selection, admission, progression, dismissal, and counseling of students.
2. Develop and evaluate the theoretical and clinical learning activities of the program.
3. Direct and supervise student learning in the classroom and clinical areas.
4. Participate in the counseling and guidance of students related to the course of instruction.
5. Establish a system to maintain essential records that will be used to evaluate a student's Progress. ~~while the student is enrolled in the program and to follow up on the student after his or her graduation.~~
6. Interpret changing practices in the utilization of the graduate practical nurse and adjust the educational program to accommodate these changes.
7. Develop short and long range plans for strengthening the program based upon the feedback obtained from the program's evaluations.
8. Be readily available for consultation with clinical preceptors and students during preceptorial learning experiences.

(4) Faculty Organization.

~~(a) The nursing faculty shall hold regular (at least monthly) nursing faculty conferences to discuss the nursing education program and maintain nursing faculty meeting minutes as a written record of discussions and decisions.~~

~~1. Shall hold regular (at least monthly) nursing faculty conferences to discuss the nursing education program; AND~~

~~2. Maintain Nursing Faculty Meeting Minutes as a written record of discussions and decisions.~~

(b) Policies in effect for nursing faculty shall be consistent with those in effect for all faculty employed by the sponsoring agency.

(c) There shall be a written school policy for the selection, orientation, and utilization of full time and part time nursing faculty.

~~(d) Full time and part time nursing faculty shall attend all essential nursing department functions to assure continuity and coordination of the program. This process shall be documented in writing.~~

~~(e) The nursing faculty shall be provided adequate secretarial assistance by the sponsoring agency. "Adequate" refers to a full range of secretarial services readily and consistently available to the nursing program's faculty.~~

#### **400-3-.09 Preceptor and Preceptorial Learning Activities. Amended.**

(1) Definitions.

(a) The "preceptor" holds a valid Georgia license as a registered professional nurse, or licensed practical nurse or medical doctor, with a minimum of one year of clinical experience.

(b) "Preceptorial learning activities" refer to those clinical learning activities which are provided under the direct leadership and supervision of a preceptor.

(2) The preceptor shall be selected through the cooperative effort between the nursing faculty and the clinical affiliate representatives.

(3) Preceptorial learning activities may be included in a curriculum when the following criteria are met:

- (a) Appropriate theory shall be coordinated with the preceptorial clinical experience.
- (b) There shall be a written school policy for the selection, orientation, and utilization of clinical preceptors.
- (c) The nursing education program ~~must provide written~~ shall maintain documentation ~~to the Board~~ which demonstrates that all nursing clinical preceptors meet requirements provided in Rule 400-3-.09. ~~A Nursing Faculty Qualification Record, provided by the board, marked "Preceptor at Clinical Agency's name and date of preceptorial agreement," and a copy of the current Georgia Registered Nurse license must be submitted to the Board within one (1) month of the preceptor's acceptance of the position.~~
- (4) Prior to and throughout the preceptorial learning activities, faculty shall interact with preceptors, individually or in a group, to clarify roles, learning activities, and the critique/evaluation of student learning and progress.
- (5) The preceptor/student ratio shall ~~NOT~~ not exceed the ratio of one (1) preceptor to two (2) student practical nurses in the hospital, doctor's office, or clinics, or one (1) preceptor to four (4) student practical nurses in the nursing home.
- (6) The preceptor may evaluate students' clinical performance after the students' initial assessments by the nursing program's faculty.
- (7) The preceptor and students must have a readily available designated nursing faculty member who is responsible for the preceptor learning activities.
- (8) The preceptorial learning activities must be scheduled on The ~~Quarterly~~ Clinical Rotation Plan pursuant to Rule 400-3-.02(1)(d).
- (9) There shall be written Clinical Learning Focus Objectives pursuant to Rule 400-3-.02(1)(c) for all preceptorial learning activities.

**400-3-.10 School Requirements: Rules and Policies.**

(1) School Rules:

- (a) Theoretical class size shall be determined by the institution based on the number of faculty members, adequacy of clinical resources, availability of learning resources, and documented survey of need within a ~~sixty~~ fifty (50) mile radius.
- (b) The students' total scheduled instructional time for classroom and clinical experiences shall ~~NOT~~ not exceed forty (40) hours per week.
- (c) The nursing education program shall comply with the Occupational Safety and Health Administration's current guidelines for occupational exposure to blood-borne and airborne Pathogens. ~~and have a fire safety policy.~~ The ~~policies~~ policy shall be reviewed annually and revised as necessary in writing.
- (d) ~~There shall be quarterly course evaluations by students and annual evaluations by graduates and graduates' employers as provided in Rule 400-3-.13.~~ The nursing education program shall have a policy regarding the use of social media by students and faculty in relation to patient privacy and care and federal guidelines.
- (e) The practical nursing education program shall maintain an annualized licensing examination passing percentage rate of eighty percent (80%) or higher for the program's graduates on the initial examination as provided in Rules 400-3-.03 and 400-3-.04.
- (f) A student shall be considered to have successfully completed a program when the student has satisfied all performance and learning objectives of an approved program and has met the institution's established graduation requirements.
- (g) All nursing faculty and preceptors, if utilized, shall meet requirements as provided in Rules 400-3-.08 and 400-3-.09 before assuming duties in the program.
- (h) The nursing program shall maintain nursing faculty meeting minutes of all decisions pertinent to the operation and revision of the program.
- (i) Student clinical experience shall include all required health care areas provided in Rule 400-3-.07:

1. Clinical experiences should be correlated with theoretical content; ~~whenever possible~~; AND
2. The clinical experience instructor-student ratio shall ~~NOT~~ not exceed a one (1) to ten (10) ratio; AND
3. At least three (3) licensed hospital or nursing home beds shall be available for every one (1) student practical nurse at any given time in a clinical affiliate; AND
4. At least 40% of the total board-required clinical experience hours must be obtained in the hospital setting.

(j) A nursing program faculty member or a Board-approved preceptor shall be:

1. Present in the clinical facility to which students are assigned for direct patient care and be present ~~either~~ on the unit; ~~or available to students by pager~~; AND
2. Responsible for the clinical instruction and supervision of the program's student practical nurses.

(k) The program's instructors shall provide appropriate clinical focus objectives to each clinical affiliate prior to student assignment provided in Rule 400-3-.02w(1)(c).

(l) The Clinical Rotation Plan for student learning activities shall be provided to each affiliating clinical facility prior to student assignment provided in Rule 400-3-.02(1)(d).

(2) School Policies:

(a) Policies related to the practical nursing education program shall be published in a student handbook or catalogue; AND and

(b) The policies set forth below shall be included:

1. Academic Standards. The academic standards policy shall include a clearly defined grading system for the program and a policy for course progression and graduation.

2. Curriculum. The curriculum policy shall reflect the board's hourly and theoretical content and clinical experience area requirements provided in Rule 400-3-.07(5) as the minimum curriculum.

3. Student Grievance. The student grievance policy shall define the authority chain which is to be followed for ~~STUDENT~~ student grievances at the institution.

4. Occupational Safety and Health Administration's Guidelines. The policy shall describe a plan for educating students on the Federal Occupational Safety and Health Administration's guidelines (O.S.H.A.) and the Centers for Disease Control's (C.D.C.) guidelines and any other regulations applicable to the safety of students and patients in the practice of nursing.

5. Student Health. The student health policy shall include the health examinations and immunizations (as currently recommended by the Centers for Disease Control) required to ensure the health, safety, and welfare of students and patients prior to the beginning of student clinical experiences.

#### **400-3-.11 Educational Facilities and Clinical affiliates.**

(1) ~~Educational Facilities. Campus~~ Educational facilities, campus classrooms, nursing practice laboratory, and the ~~learning resource~~ library for the program shall be available to meet the objectives of the program and the needs of the students and faculty.

(a) ~~All educational areas shall provide:~~

1. ~~At least one desk per student and faculty member and have adequate lighting, ventilation, and be maintained at a room temperature conducive to learning.~~

~~2. Locked areas for examinations and confidential student records.~~

~~(b) (a) The campus laboratory.~~

1. Shall be separate or screened from the classroom(s).

2. Shall contain sufficient equipment, supplies and resources (such as mannequins, models, textbooks, and audiovisual aids), to permit simulated nursing skill practice.

~~3. Shall provide a storage space for supplies, equipment, and learning materials.~~

~~4.3. Shall provide a **LOCKED** cabinet secure location for ~~medications, syringes, and needles~~ syringes and needles.~~

~~5. Shall allow for demonstration/return demonstration areas to be organized to simulate the clinical setting with facilities, equipment and supplies as appropriate.~~

(e) ~~(b) A Learning Resource Library library located at the instructional site shall:~~

1. Provide texts, audiovisuals, and periodicals, to include practical nursing journals, no older than five (5) years, on the curriculum being taught.

2. Make available to faculty and students a current copy of the Georgia Board of Examiners of Licensed Practical Nurses' Laws and Rules.

(2) Clinical Affiliates.

(a) ~~All hospital and nursing home clinical affiliates for a program shall be approved by the board prior to utilization for student experiences. The program shall submit the required materials as provided in Rule 400-3-.14 Rule 400-3-.13 (2)(c)(1).~~

(b) There shall be a written signed agreement between the program and each clinical affiliate which meets the following criteria:

1. The agreement shall be annually reviewed and revised/renewed as necessary.

2. The agreement shall ensure that the nursing faculty maintains the responsibility for the selection and supervision of student learning activities.

(c) The clinical facility's nursing service department shall maintain:

1. A written organizational chart which indicates the ~~hierarchy of responsibility~~ a clear chain of command for nursing personnel.

2. A copy of current policies and procedures as they relate to the Licensed Practical Nurse shall be available to the board at site visits or as requested.

(d) An orientation shall be conducted for program faculty and each new group of students at the clinical facility.

~~(e) Clinical faculty staff may serve as advisors and role models to students.~~

**400-3-.12 Board Site Visits to Nursing Education Programs and Their Clinical Affiliates. Amended.**

(1) Site visits to the practical nursing education program and ~~hospital and nursing home~~ clinical affiliates shall be conducted by board representatives to verify compliance with board ~~Laws~~ laws and ~~Rules~~ rules. All requested documentation shall be received by the Board prior to the site visit.

(2) Site visits are conducted:

- (a) Initially and ~~annually~~ as needed for all new programs until the program achieves Full Approval status.
- ~~(b) On a regularly scheduled basis for all established programs per board policy, or approximately every five (5) years.~~
- ~~(c) (b)~~ To the new clinical affiliate(s) during the practical nursing education program's next routine visit.
- ~~(d) (c)~~ At the Board's discretion.
- ~~(e) (d)~~ Upon request from a program for a site visit or a visit by the board's nursing education consultant.

**400-3-.13 Reports and Records. Amended.**

(1) Reports and records shall be required of each practical nursing education program for documentation of compliance to ~~O.C.G.A. 43-26-35 and Rules 400-3-.01 through 400-3-.16.~~ with applicable Georgia law and Board rules.

- ~~(a) Programs which have met requirements shall be granted board approval status provided in Rules 400-3-.03 and 400-3-.04.~~
- ~~(b) Documentation of compliance with board Laws and Rules shall be maintained so that students who successfully complete the program may be granted permission to take the licensure examination provided in Rules 400-2-.01, 400-3-.02, and 400-3-.03.~~

(2) Reports submitted to the Board from schools by the practical nursing education program's nurse director shall include the following reports:

(a) An Annual Report form and requested documentation shall be submitted each year which covers the ~~fiscal~~ previous calendar year from July 1st of the previous year through June 30th of the current year and shall include:

1. General information on the program including, but not limited to name, addresses, ~~Telephone, and fax numbers and administrators.~~ telephone and fax numbers, email address and information regarding the program administrator.
2. Data on instructor-student clinical ratios to include a current "Nursing Faculty Preceptor Summary Sheet," and ~~"Nursing Faculty Qualification Records"~~ nursing faculty summary for all nursing faculty and all ~~registered nurse~~ preceptors.
3. Data on clinical sites utilized and contract dates.
4. Data on program enrollments, withdrawals, and graduates.
5. Data on the program's course offerings to include a current "Master Curriculum Plan" provided to ~~Rule 400-3-.02(f).~~ Rule 400-3-.02 (1)(f).
- ~~6. Data on "satellite" and/or "evening" programs.~~
  - ~~a. Satellite programs are those additional educational sites which had been established and/or board approved prior to June 1994.~~
  - ~~b. Evening programs are those classes which are admitted to take the entire curriculum in the afternoon and evening hours.~~
7. ~~6.~~ A description of anticipated program changes for the coming year.

~~(b) The Corrections of~~ Any corrections to the Annualized Licensing Examination Passing Percentage Rate Report shall be returned to the board within ten (10) working days of receipt of the initial report. Proof of the correction such as copy(ies) of previous NCLEX-PN Scores-Report(s) shall be provided to verify the erroneous information.

~~1. Proof of the correction such as copy(ies) of previous NCLEX-PN Scores-Report(s) shall be provided to verify the erroneous information.~~

(c) Site Visit Report Materials shall include the following forms:

1. The Clinical Facility Information Sheet shall provide a complete listing of all clinical affiliates and basic information on each facility. The sheet is also submitted whenever there is a change in clinical facilities.

2. The Clinical Facility Self-Study Report shall be completed by the Director of Nursing Service Services at a hospital or nursing home or appropriate management at the clinical affiliate and shall be submitted to the board. ~~by the program's nursing director.~~

~~(i) The Clinical Facility Self-Study Report provides the documentation that the clinical facility meets the requirements set forth in rules 400-3-11 and includes such information as requested by the board.~~

~~(ii) The Clinical Facility Self-Study Report shall be submitted with a proposal to add a new clinical facility to those already utilized for clinical experience or at the board's request.~~

~~(d) The Nursing Faculty Summary Sheet shall be submitted to the board by the program director as provided in Rule 400-3-14 as a listing of all full time and part-time part time nursing employees of the program and all Preceptors preceptors. and shall be updated each time there are faculty and/or preceptor changes.~~

~~(e) The Nursing Faculty Qualification Record shall be completed by each nursing faculty member. Each preceptor shall complete a Preceptor Qualification Record.~~

~~1. A copy of the record shall be submitted to the board within thirty (30) days of initial employment or appointment by the program or upon request of the Board.~~

~~2. 1. The Nursing Faculty Qualification Record shall include secondary education, nursing licenses in other states, date of original licensure, and a copy of the current Georgia Registered Nurse license evidence of current Georgia licensure as a registered nurse.~~

~~3. 2. A complete listing of all nursing employment for the seven (7) years preceding the date of submission of Nursing Faculty Qualification Record.~~

~~(f) A Practical Nursing Program Self-Study Report shall be submitted as preparation to begin a new program, or as preparation for a routine or follow-up board site visit to the program.~~

~~(g) (f) The Practical Nursing Program Site Visit Response shall address the board's recommendations and shall be submitted to the Board within six (6) weeks of after the program's receipt of the Site Visit Report. The Practical Nursing Program Site Visit Response shall include the specifies program's plan to correct the deficiencies cited in the Site Visit Report.~~

~~(h) The Corrected Annualized Licensing Examination Passing Percentage report shall provide the program's nursing director the opportunity to review the initial Annualized Licensing Examination Passing Percentage Rate Report and to submit corrections before the Board's review of the report to assure the accuracy of the statistics.~~

~~(i) (g) The Practical Nursing Program Self-Evaluation Report shall be submitted to the Board each time the program's Annualized Licensing Examination Passing Percentage Report falls below the eighty percent (80%) level for its graduates on the initial examination.~~

~~1. The Practical Nursing Program Self-Evaluation Report shall be received by the board within six (6) weeks of the program's receipt of the Final Annualized Licensing Examination Passing Percentage Report.~~

~~2. The Practical Nursing Program Self-Evaluation Report's purpose is to identify possible cause(s) of the deficiency and to develop a plan to bring the pass percentage rate to the acceptable eighty (80) percent level.~~

~~3. 2. The Practical Nursing Program Self Evaluation Report shall address the areas of: admission and grading requirements; curriculum sequencing; course materials development dates and reference materials publication dates; testing practices; practical nursing review course and/or test-taking strategies offerings to students; correlation of clinical experiences with appropriate theory; and the total picture of clinical experiences available for the students.~~

~~(j) A Second Practical Nursing Program Self Evaluation Report shall be submitted within six (6) weeks of receipt of the second official notification that the program's Annualized Licensing Examination Passing Percentage Rate Report falls below the acceptable eighty (80) percentage.~~

~~1. The Second Practical Nursing Program Self Evaluation shall include the implemented corrective actions the program has taken and other progress made toward correcting the outlined deficiencies.~~

~~(k)-(h) Proposed Program Change Notifications are to be submitted to the board within thirty (30) days as provided in Rule 400-3-.14.~~

~~(l) Program Change Proposals are to be submitted as soon as a major revision to the program is planned as provided in Rule 400-3-.14, but before students are admitted to the program and/or assigned to the new clinical facility(ies) for clinical experiences.~~

~~(3) Reports to Schools from the Board. The program's Annualized Licensing Examination Passing Percentage Report is prepared by the board's nursing education consultant and covers the calendar year from January 1<sup>st</sup> through December 31<sup>st</sup> of the preceding year.~~

~~(a) The program's Annualized Licensing Examination Passing Percentage Report is prepared by the board's nursing education consultant from National Council of State Boards of Nursing's Computer Adaptive Testing-Practical Nursing (NCLEX-PN/CAT) Scores computer file.~~

~~1. The Annualized Licensing Examination Passing Percentage Rate Report includes the calendar year from January 1<sup>st</sup> through December 31<sup>st</sup> of the preceding year.~~

~~(b) The Final Annualized Licensing Examination Passing Percentage Rate Report shall be sent to the program after the Corrected Annualized Licensing Examination Passing Percentage Rate Report has been presented to the Board.~~

~~(c) The Practical Nursing Program Site Visit Report is the compilation of the board's commendations, suggestions, and recommendations for the program based upon the site visit and all materials submitted.~~

~~(4) Program Records.~~

~~(a) The practical nursing education program shall make available upon request, all program policies as provided in Rule 400-3-.10.~~

~~(b) Current agreements with all clinical affiliates shall be maintained.~~

~~(c) Nursing Faculty Meeting Minutes shall be made available upon request.~~

~~(d) The practical nursing education program's Advisory Committee Meeting Minutes shall be made available upon request.~~

~~(e) Program evaluations shall include:~~

~~1. ~~Quarterly evaluations~~ Evaluations of the course, faculty, and clinical facilities completed by the students each semester.~~

~~2. Annual evaluations of the program by the program's graduates.~~

~~3. Annual evaluations of the program's graduates by employers.~~

~~(f) Annual statistics on the program's enrollments, withdrawals, and graduates.~~

~~(g) Annual statistics on the placement/employment of graduates.~~

~~(h) (g) The program's curriculum materials shall include:~~

~~1. The Program's Master Curriculum Plan for each class currently enrolled.~~

2. All course materials for each curriculum offering. This shall include, but not be limited to, lesson plans, ~~tests~~, handouts, student clinical evaluation tools, texts/references list, and a clinical experience facilities listing.

3. The program's Master Clinical Rotation Plan and each course's Clinical Rotation Plan for each class currently enrolled.

~~(6)~~ (5) Student records. Students currently enrolled shall have a file which includes, but not limited to, admission materials, documentation of theoretical and clinical progression in the program's curriculum plan, and health records.

~~(7) Faculty records. Faculty records shall include, but not limited to, job descriptions, performance evaluations, qualifications and current licensure, and evidence of professional development.~~

~~(8) Graduate records. These shall include, but not be limited to:~~

~~(a)~~ (6) Final program transcript. Transcripts shall identify each course in the curriculum plan, include the earned grades and explain the grading system, and state the theoretical and clinical hours the student was present for each course.

#### **400-3-.14 Program Changes Requiring Board Approval and Board Notification and Procedures for Approval.**

(1) The following proposed changes in the practical nursing education program require board approval prior to their implementation. The program shall electronically submit ~~two (2) copies of the materials requested~~ information to the board at least ~~three~~ four weeks prior to the board meeting at which the request changes will be considered.

~~(a) An established program in good standing that is moving to another facility will maintain its prior Board approval status. Such program shall demonstrate to the Board prior to the move that existing standards will be maintained.~~

~~(b) Any existing program that has been on full approval for two (2) consecutive years may be eligible to apply to establish a satellite.~~

~~1. A survey of need must be submitted.~~

~~2. Other changes requiring Board approval shall be submitted prior to the establishment of the satellite pursuant to Rule 400-3-.14.~~

~~3. All nursing education programs and affiliated campus programs will be issued the same NCSBN program code number.~~

~~(c)~~ (a) The addition of new clinical facility(ies) for actual student patient care experience. The following materials must be submitted:

1. A revised Clinical Facilities Information Sheet as provided in Rule 400-3-.13.

2. A Clinical Facility Self Study Report as provided in Rule 400-3-.13.

3. A copy of the current signed contract between the proposed clinical affiliate(s) and the program's sponsoring agency.

~~4. The rationale for the addition which explains how the students' educational experience will be affected.~~

~~5.~~ 4. The Clinical Learning Focus Objectives for the experience for the proposed facility(ies) as provided in ~~Rule 400-3-.02(1)(c).~~ Rule 400-3-.02(1)(d).

~~6.~~ 5. The Clinical Rotation Plan which demonstrates student assignment at the proposed facility(ies) as provided in ~~Rule 400-3-.02(1)(d).~~ Rule 400-3-.02(1)(e).

~~7.~~ 6. A description of student supervision at the facility. If new nursing faculty or preceptors are to be utilized, submit an updated Nursing Faculty Summary Sheet and Nursing Faculty Qualification Record(s), Preceptor Summary Sheet and Preceptor Qualification Record as provided in Rule 400-3-.13.

~~(d) Plans to discontinue a practical nursing education program require documentation as provided in Rule 400-3-.15.~~

(2) The following changes in the practical nursing education program may be implemented by the program, but require board notification within thirty (30) days of the implementation. ~~The notification shall be submitted on the forms requested.~~ Practical Nursing Education Program name change requires the former name, new name, and effective date.

~~(a) Practical Nursing Education Program name change requires the former name, new name, and effective date.~~

~~(b) The employment of nursing faculty and/or the appointment of preceptors require an updated Nursing Faculty Summary Sheet and Nursing Faculty Qualification Record(s), Preceptor Qualification Record and Preceptor Summary Sheet as provided in Rule 400-3-.13.~~

#### **400-3-.15 Guidelines for Discontinuance of a Nursing Education Program. Amended.**

(1) After the notification to the board of intent to discontinue the practical nursing education program, the school may ~~NOT~~ not admit new students.

(2) The program shall continue to meet the standards for approval until all of the enrolled students have graduated.

(3) An institution closing a practical nursing education program shall provide for permanent storage of the transcripts of its graduates and the name, title, department, and address of who is responsible for keeping the records shall be conveyed to the board in writing.

#### **~~400-3-.16 Reopening a Former Nursing Education Program. Amended.~~ Repealed**

~~(1) Any former practical nursing education program's governing agency which wishes to reopen a program shall apply as a new program as provided in Rules 400-3-.02 and 400-3-.03.~~

Ms. Fletcher seconded the motion and it carried unanimously.

Ms. Lockwood moved that the formulation and adoption 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. Marshall seconded the motion and it carried unanimously.

#### **PROPOSED RULE 400-6-.01.**

Ms. Sipple moved to post the proposed changes to 400-6-.01.

#### **Rule 400-6-.01 Fees.**

(1) Refer to fee schedule for appropriate fees payable to the Board.

(a) An indebtedness to the Board caused by a returned check will be dealt with in accordance with Code Section 16-9-20 of the Criminal Code of Georgia;

(b) Fees may be reviewed and changed at the discretion of the Board;

(c) Any request for refund must be submitted in writing within 30 days of the payment;

(d) Application fees are non-refundable.

(2) Fees may be charged for the following:

(a) Applications for Licensure;

(b) Applications for Practical Nursing School and program fees;

(c) Renewal;

(d) Late Renewal;

(e) Duplicate license and/or identification card. If a name change occurs, the licensee must submit a request for a duplicate card accompanied by a copy of either a marriage certificate or court order and the required fee. Name changes occurring during the renewal period may be processed without additional fee if a copy of the marriage certificate or court order is attached to the application for license renewal;

(f) License verification;

(g) Rosters, ~~Labels and Tapes~~ of Licensees;

(h) Copied Materials;

(i) Any additional fee the Board deems appropriate.

Ms. Marshall seconded the motion and it carried unanimously.

Ms. Sipple moved that the formulation and adoption 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. Marshall seconded the motion and it carried unanimously.

### **EXECUTIVE SESSION**

Ms. Marshall moved, Ms. Lockwood 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, October 17, 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 J.C., #1782644** – Ms. Sipple moved to proceed with licensure by examination with a Letter of Concern re: Alcohol. Ms. Marshall seconded the motion and it carried unanimously.

**Applicant S.R., #1754663** – Ms. Fletcher moved to deny application for reinstatement. Applicant has not practiced for a period exceeding ten (10) years [O.C.G.A. §43-26-39(d)]. The applicant must return to school and complete a board approved nursing education program. Ms. Marshall seconded the motion and it carried unanimously.

**Applicant D.K., #1749757** – Ms. Lockwood moved to refer to Legal Services to write the 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 cognizant Board member and the legal/disciplinary nurse consultant. If warranted, refer to Legal Services or the Attorney General’s office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Ms. Marshall seconded the motion and it carried unanimously.

**Applicant C.J., #1778760** – Ms. Lockwood moved to refer to Legal Services for a hearing or public consent agreement for reinstatement of licensure to include probation for five (5) years, substance abuse stipulations, two (2) years narcotic restrictions and quarterly reports (employer, aftercare and personal). Ms. Sipple seconded the motion and it carried with Ms. Fletcher abstaining.

### **ATTORNEY GENERAL’S OFFICE**

(LPNI – Registered Nurse Investigative Case Number)

**LPNI100263** – Ms. Sipple moved to close the case. Ms. Marshall seconded the motion and it carried unanimously.

**LPNI120060** – Ms. Fletcher moved to rescind the previous Board motion from the February 24, 2012 Board meeting and refer to the Attorney General’s office for a hearing or public consent order to include probation for three (3) years, substance abuse stipulations, drug screens, one (1) year narcotic restrictions, quarterly reports (employer and personal), documentation of Alcoholics-Anonymous meetings twice per month and courses in Righting a Wrong: Ethics and Professionalism in Nursing. Ms. Lockwood seconded the motion and it carried unanimously.

**LPNI110616** – Ms. Marshall moved to refer to Investigations to conduct as DOL/Accurint search to locate the respondent and to refer to the Attorney General’s office for a Cease and Desist hearing under the authority of O.C.G.A. §43-1-20.1. Ms. Sipple seconded the motion and it carried unanimously.

**LPNI110332** – Ms. Lockwood moved to refer to Investigations to locate a valid address for the Respondent. If the address is obtained, refer the case to the Attorney General’s office for a Cease and Desist hearing under the authority of O.C.G.A. §43-1-20.1. If not obtained, close the case. Ms. Marshall seconded the motion and it carried unanimously.

### **COMPLAINT INVESTIGATION REVIEW**

(LPNI = Licensed Practical Nurse Investigative Case Number)

**LPNI110314** – Ms. Sipple moved to refer to the Attorney General’s office for a voluntary surrender or an indefinite suspension. Ms. Lockwood seconded the motion and it carried unanimously.

**LPNI120152** – Ms. Sipple moved to close the case with a Letter of Concern re: Unprofessional Conduct. Ms. Marshall seconded the motion and it carried unanimously.

**LPNI120230** – Ms. Marshall moved to close the case with a Letter of Concern re: Unprofessional Conduct. Ms. Lockwood seconded the motion and it carried unanimously.

**LPNI120235** – Ms. Lockwood moved to close the case. Ms. Fletcher seconded the motion and it carried unanimously.

**LPNI120258** – Ms. Fletcher moved to close the case with a Letter of Concern re: Unprofessional Conduct. Ms. Marshall seconded the motion and it carried unanimously.

**LPNI130018** – Ms. Sipple moved to refer to the Attorney General’s office for revocation based on action in another jurisdiction and hold renewal. Ms. Lockwood seconded the motion and it carried unanimously.

### **REQUEST FOR RECONSIDERATION**

(LPNI = Licensed Practical Nurse Investigative Case Number)

**LPNI120175** – Ms. Lockwood moved to refer to Legal Services to order licensee to have an outpatient MPE. Results are to be reviewed by the cognizant Board member and the legal/disciplinary nurse consultant. If warranted, refer to Legal Services or the Attorney General's office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Ms. Sipple seconded the motion and it carried unanimously.

**LPNI120175** – Ms. Lockwood moved to refer to Legal Services to order licensee to have an outpatient MPE. Results are to be reviewed by the cognizant Board member and the legal/disciplinary nurse consultant. If warranted, refer to Legal Services or the Attorney General's office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Ms. Sipple seconded the motion and it carried unanimously.

### **COMPLAINT INVESTIGATION REVIEW**

(LPNI = Licensed Practical Nurse Investigative Case Number)

**LPNI120096** – Ms. Sipple moved to refer to Legal Services to order licensee to have an outpatient MPE. Results are to be reviewed by the cognizant Board member and the legal/disciplinary nurse consultant. If warranted, refer to Legal Services or the Attorney General's office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Ms. Marshall seconded the motion and it carried unanimously.

## **2009 – 2011 RENEWAL APPLICATION REVIEW**

(LPNI = Licensed Practical Nurse Investigative Case Number)

**LPNI090093** – Ms. Sipple moved to refer to Legal Services for a hearing or private consent order to include a fine of \$250 for making false statements to the Board. Ms. Marshall seconded the motion and it carried unanimously.

### **VIOLATION OF MPE ORDER**

(LPNI = Licensed Practical Nurse Investigative Case Number)

**LPNI070142** – Ms. Fletcher moved to have Cognizant review MPE upon receipt. If no MPE results received within thirty (30) days, refer to the Attorney General's office for an indefinite suspension or voluntary surrender for violation of the MPE order. Ms. Lockwood seconded the motion and it carried unanimously.

### **VIOLATION OF CONSENT ORDER**

(LPNI = Licensed Practical Nurse Investigative Case Number)

**LPNI110418**– Ms. Sipple moved to refer to the Attorney General's office for an indefinite suspension. Ms. Marshall seconded the motion and it carried unanimously.

### **SELF REPORT**

(LPNI = Licensed Practical Nurse Investigative Case Number)

**LPNI120150** – Ms. Sipple moved to refer to Legal Services for a hearing or private consent order to include probation for five (5) years, substance abuse stipulations, two (2) years narcotic restrictions and quarterly reports (employer, aftercare and personal). Ms. Fletcher seconded the motion and it carried unanimously.

### **VIOLATION OF MPE ORDER**

(LPNI = Licensed Practical Nurse Investigative Case Number)

**LPNI110125** – Ms. Lockwood moved to refer to the Attorney General's office for a voluntary surrender or an indefinite suspension. Ms. Sipple seconded the motion and it carried unanimously.

### **MENTAL/PHYSICAL EXAMINATION REVIEW**

(LPNI = Licensed Practical Nurse Investigative Case Number)

**LPNI120105** – Ms. Sipple moved to close the case with a strong letter of recommendation to continue therapy. Ms. Marshall seconded the motion and it carried unanimously.

**LPNI120148** – Ms. Marshall moved to refer to Legal Services for a hearing or private consent order to include probation for five (5) years, substance abuse stipulations, two (2) years narcotic restrictions and quarterly reports (employer, aftercare, personal and psychotherapy). Ms. Lockwood seconded the motion and it carried unanimously.

**LPNI100263** – Ms. Sipple moved to rescind the previous Board motion from the August 22, 2012 Board meeting and close the case with a Letter of Concern re: Drugs. Ms. Lockwood seconded the motion and it carried unanimously.

**LPNI120168** – Ms. Lockwood moved to refer to Legal Services for a hearing or private consent order to include probation for two (2) years and quarterly reports (personal and psychotherapy for medication monitoring). Ms. Sipple seconded the motion and it carried unanimously.

### **VIOLATION OF CONSENT ORDER**

(LPNI = Licensed Practical Nurse Investigative Case Number)

**LPNI110207**– Ms. Sipple moved to refer to the Attorney General's office for an indefinite suspension; notify the Louisiana Board of Nursing of the disciplinary action and place a hold on the licensee's renewal. Ms. Fletcher seconded the motion and it carried unanimously.

## **COMPLAINT INVESTIGATION REVIEW**

(LPNI = Licensed Practical Nurse Investigative Case Number)

**LPNI130048** – Ms. Sipple moved to refer to Investigations to obtain copies of the patient records pertaining to alleged HIPPA violations and refer a summary of the complaint to the president of Dekalb Technical College and director of the LPN program. Ms. Lockwood seconded the motion and it carried unanimously.

**LPNI130049** – Ms. Lockwood moved to table the case pending the receipt of additional information. Ms. Sipple seconded the motion and it carried unanimously.

## **PERSONAL APPEARANCE**

(LPNI = Licensed Practical Nurse Investigative Case Number)

**LPNI130054** – Ms. Fletcher moved to uphold the previous Board motion from the August 22, 2012 Board meeting to deny licensure based on insufficient education. Ms. Sipple seconded the motion and it carried unanimously.

## **EDUCATION REPORT**

Mr. Cleghorn presented the NCLEX-PN year to date examination scores. The following programs' NCLEX-PN examination pass rates were below 80% for first time writers:

Athens Technical College  
Bainbridge College  
South Georgia College

## **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, October 17, 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.

## **INVESTIGATIONS**

(LPNI = Licensed Practical Nurse Investigative Case Number)

**LPNI120234** – Ms. Lockwood moved to refer to the Attorney General's office for indefinite suspension based on action in another jurisdiction and refer the original complaint regarding allegations of wrongful death of the patient to the Department of Community Health. Ms. Lockwood seconded the motion and it carried unanimously.

**LPNI110601** – Ms. Fletcher moved to require licensee to undergo a criminal background check. If charges are on record, refer back to the Board. If there are no charges, refer to Legal Services for a hearing or public consent order to include probation for five (5) years, substance abuse stipulations, two (2) years narcotic restrictions, quarterly reports (employer, personal and psychotherapy with random drug screens), and courses in Ethics, Documentation and Professional Accountability. Ms. Lockwood seconded the motion and it carried unanimously.

**LPNI120243** – Ms. Lockwood moved to close the case. Ms. Sipple seconded the motion and it carried unanimously.

**LPNI090038** – Ms. Sipple moved to refer to Legal Services for a hearing or private consent order to include probation for five (5) years, substance abuse stipulations, two (2) years narcotic restrictions and quarterly reports (employer, aftercare, personal and psychotherapy). Ms. Lockwood seconded the motion and it carried unanimously.

**LPNI110043** – Ms. Sipple moved to refer to Legal Services for a hearing or private consent order to include probation for five (5) years, substance abuse stipulations, two (2) years narcotic restrictions, quarterly reports (employer, aftercare, personal and

psychotherapy), a fine of \$750 for false statements on three (3) renewal applications and courses in Ethics, Professional Accountability and Patient Safety. Ms. Marshall seconded the motion and it carried unanimously.

**LPNI110014/LPNI120034** – Ms. Marshall moved to refer to the Attorney General’s office for a public consent agreement not to practice. Ms. Lockwood seconded the motion and it carried unanimously.

**APPROVAL OF MINUTES**

Ms. Lockwood moved to approve the August 22, 2012 Board Meeting Executive Session Minutes. Ms. Marshall seconded the motion and it carried unanimously.

Ms. Marshall moved to approve the August 22, 2012 Board Meeting Minutes as corrected. Ms. Lockwood seconded the motion and it carried unanimously.

**LEGAL/DISCIPLINE COGNIZANT CASES REPORT**

(LPNI=Licensed Practical Nurse Investigative Case Number)

Ms. Fletcher moved to ratify the Cognizant’s recommendations from the following complaints:

<b>LPNI100025</b>	<b>LPNI100026</b>	<b>LPNI090224</b>	<b>LPNI090225</b>	<b>LPNI110014</b>	<b>LPNI120105</b>	<b>LPNI120248</b>
<b>LPNI130002</b>	<b>LPNI130001</b>	<b>LPNI130034</b>	<b>LPNI120169</b>	<b>LPNI130039</b>	<b>LPNI130045</b>	<b>LPNI130048</b>
<b>LPNI130049</b>	<b>LPNI130050</b>	<b>LPNI130033</b>				

Ms. Lockwood seconded the motion and it carried unanimously.

**APPLICATION REVIEWS AND APPROVAL OF LICENSURE**

(LPNI = Licensed Practical 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. Lockwood seconded the motion and it carried unanimously.

**APP#1780942   APP#1777893   APP#1787717**

**LEGAL/DISCIPLINE COGNIZANT FAILURE TO DISCLOSE CASES REPORT**

(LPNI=Licensed Practical Nurse Investigative Case Number)

Ms. Sipple moved to ratify the Cognizants’ recommendations to accept Private Consent Agreements for licensure with a fine of \$250 for failure to disclose arrests on application. The executive director may sign with express permission of the Board Chair. Ms. Marshall seconded the motion and it carried unanimously.

**LPNI130035   LPNI130043   LPNI130053**

**APPLICATION REVIEWS AND APPROVAL OF LICENSURE**

Ms. Fletcher moved, Ms. Marshall seconded and the Board voted to approve applications for licensure for the months of August 2012 through September 2012 that were determined, pursuant to Board approved guidelines, to have met licensure requirements.

**ATTORNEY GENERAL’S OFFICE**

(LPNI – Registered Nurse Investigative Case Number)

Ms. Lockwood moved to accept the Attorney General’s status and activity report. Ms. Sipple seconded the motion and it carried unanimously.

There being no further business, the meeting adjourned at 5:30 p.m.

  
\_\_\_\_\_  
Barbara Mitchell, RN, NHA, **President**

  
\_\_\_\_\_  
James Cleghorn, **Executive Director**