

The Georgia Board of Examiners of Licensed Practical Nurses met in Conference Room 104 of the Professional Licensing Boards Division of the Georgia Secretary of State, located at 237 Coliseum Drive, Macon, Georgia 31217.

WEDNESDAY, DECEMBER 5, 2012

MEMBERS PRESENT

Barbara Mitchell, RN, NHA, Chair
Jane Harte Sipple, LPN, CPUR, CCDS, Vice Chair
Fredetena "Tina" Fletcher, LPN
Kellie R. Lockwood, RN, MSN
Krista Andrea Phipps, LPN

MEMBERS ABSENT

Patricia Z. Marshall, LPN, NAAC

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 9:34 a.m. on Wednesday, December 5, 2012. A quorum to conduct disciplinary matters was determined to exist.

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

Sherry Sims Janet Hardaway

EXECUTIVE DIRECTOR'S REPORT

Mr. Cleghorn reported on the following administrative items:

- Status report on applications, complaints/compliance and final dispositions for October 2012 and November 2012
- 2013 Meeting Dates

POLICY

Ms. Fletcher moved to refer complaints that include information regarding registered nurses to the Georgia Board of Nursing. Ms. Sipple seconded the motion and it carried unanimously.

EXECUTIVE SESSION

Ms. Phipps moved, Ms. Sipple seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. §§43-1-2 (k); 43-1-19 (h); and 43-26-40, to deliberate on applications and enforcement matters and to receive information on applications, investigative cases and pending cases. The motion passed unanimously.

At the conclusion of Executive Session on Wednesday, December 5, 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 D.L., #1773659 – Ms. Sipple moved 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. Phipps seconded the motion and it carried unanimously.

Applicant L.L., #1787733 – Ms. Lockwood moved to close the case and proceed with licensure by examination. Ms. Fletcher seconded the motion and it carried unanimously.

Applicant S.P., #1794026 – Ms. Sipple moved to proceed with licensure upon successful completion of board approved re-entry program consisting of eight (80) hours of theory and eighty (80) hours of clinical training. Clinical hours must be completed in an acute care facility to encompass broad range of experiences. Ms. Phipps seconded the motion and it carried unanimously.

CONSENT AGREEMENTS/ORDERS – ATTORNEY GENERAL'S OFFICE

(LPNI = Licensed Practical Nurse Investigative Case Number)

Ms. Sipple moved to accept the Attorney General's status and activity report and to accept the following consent agreements/orders as prepared by the Attorney General's office and allow executive director to sign with express permission of the board chair:

Forrester, Amy W. LPNI120003

Ms. Phipps seconded the motion and it carried unanimously.

LPNI110436 – Ms. Fletcher moved to close the case and hold license renewal. Ms. Lockwood seconded the motion and it carried unanimously.

LPNI110616 – Ms. Sipple moved to close the case and accept the Cease and Desist order. Ms. Lockwood seconded the motion and it carried unanimously.

LPNI120142 – Ms. Phipps moved to rescind previous motion from the April 4, 2012 board meeting and refer to the Attorney General's office for an indefinite suspension until resolution of criminal charges. Hold license renewal. The respondent can renew upon signing the indefinite suspension. The respondent may not renew without signing the indefinite suspension order. Ms. Lockwood seconded the motion and it carried unanimously.

SELF REPORT

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI130013 – Ms. Phipps moved to hold license renewal and to request a letter of explanation regarding discharge from aftercare. The letter must be received prior to December 31, 2012. If the letter of explanation is not received, proceed with indefinite suspension. If the letter of explanation is received, refer to the cognizant for direction. Ms. Lockwood seconded the motion and it carried unanimously.

COMPLAINT INVESTIGATION REVIEW

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI120251 – Ms. Lockwood moved to refer to Legal Services for a hearing or private reprimand to include courses in Professional Accountability and Documentation. Ms. Sipple seconded the motion and it carried unanimously.

LPNI120249 – Ms. Phipps moved to refer to Legal Services for a hearing or private reprimand to include courses in Professional Accountability and Documentation. Ms. Sipple seconded the motion and it carried unanimously.

LPNI130049 – Ms. Sipple moved to refer to Legal Services for a hearing or private reprimand to include courses in Professional Boundaries. Ms. Phipps seconded the motion and it carried unanimously.

MENTAL/PHYSICAL EXAMINATION REVIEW

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI120217 – Ms. Sipple moved to refer to Legal Services for a hearing or private reprimand to include courses in Documentation and Medication Administration and a fine of \$250 for failure to disclose. Ms. Phipps seconded the motion and it carried unanimously.

POSSIBLE VIOLATION OF CONSENT ORDER

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI100314 – Ms. Lockwood moved to close the case with a Letter of Warning for reporting controlled substances. Ms. Fletcher seconded the motion and it carried unanimously.

MENTAL/PHYSICAL EXAMINATION REVIEW

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI100386 – 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. Lockwood seconded the motion and it carried unanimously.

FAILURE TO DISCLOSE

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI080066 – Ms. Fletcher moved to hold license renewal. If the respondent attempts to renew, request a personal appearance. Ms. Sipple seconded the motion and it carried unanimously.

MENTAL/PHYSICAL EXAMINATION REVIEW

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI120223 – Ms. Lockwood moved to refer to Legal Services for a hearing or private consent order to include probation for three (3) years, quarterly reports (employer and personal) and require submission of documentation of completion of court-ordered substance abuse treatment classes. Ms. Phipps seconded the motion and it carried unanimously.

LPNI120094 – Ms. Fletcher 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, personal and psychotherapy with medication management). Ms. Sipple seconded the motion and it carried unanimously.

LPNI120121 – Ms. Phipps moved to refer to Legal Services for a hearing or private consent order to include probation for five (5) years, substance abuse stipulations and quarterly reports (personal and psychotherapy with an addictionologist for alcohol treatment). Ms. Lockwood seconded the motion and it carried unanimously.

INVESTIGATIVE INTERVIEW

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI130058 – 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). The respondent may petition for lifting of narcotic restrictions after three (3) years of documented compliance. Ms. Fletcher seconded the motion and it carried unanimously.

INVESTIGATIONS

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI120031 – Ms. Phipps moved to request the Attorney General's office to obtain information from the Medicaid Fraud Control Unit. Hold license renewal pending the receipt of additional information. Ms. Sipple seconded the motion and it carried unanimously.

LPNI040193 – Ms. Lockwood moved to close the case. Ms. Sipple seconded the motion and it carried unanimously.

LPNI120001 – Ms. Phipps moved to refer to Legal Services for a hearing or private reprimand to include courses in Documentation, Medication Administration and Patient Rights. Ms. Sipple seconded the motion and it carried unanimously.

LPNI120040 – Ms. Lockwood moved to close the case. Ms. Fletcher seconded the motion and it carried unanimously.

LPNI120102 – Ms. Phipps moved to refer to the Attorney General's office for an indefinite suspension. Hold license renewal until resolution of the case. Ms. Fletcher seconded the motion and it carried unanimously.

EDUCATION REPORT

BAINBRIDGE COLLEGE

Ms. Sipple moved to approve the self study report that reflects an action plan submitted by Bainbridge College which addresses the NCLEX-PN exam score of less than the required eighty percent (80%) required by the board Rules 400-3-10(1)(e) and 400-3-.13(2)(i)(1)(2)(3). Program approval status shall be reviewed by the Board reflective of Rule 400-3-.03(4)(b)(1)(2)(3)(4). Ms. Phipps seconded the motion and it carried unanimously.

ATHENS TECHNICAL COLLEGE

Ms. Fletcher moved to approve the self study report that reflects an action plan submitted by Athens Technical College which addresses the NCLEX-PN exam score of less than the required eighty percent (80%) required by the board Rules 400-3-10(1)(e) and 400-3-.13(2)(i)(1)(2)(3). Program approval status shall be reviewed by the Board reflective of Rule 400-3-.03(4)(b)(1)(2)(3)(4). Ms. Lockwood seconded the motion and it carried unanimously.

SOUTH GEORGIA TECHINCAL COLLEGE

Ms. Lockwood moved to approve the self study report that reflects an action plan submitted by Athens Technical College which addresses the NCLEX-PN exam score of less than the required eighty percent (80%) required by the board Rules 400-3-10(1)(e) and 400-3-.13(2)(i)(1)(2)(3). Program approval status shall be reviewed by the Board reflective of Rule 400-3-.03(4)(b)(1)(2)(3)(4). Ms. Sipple seconded the motion and it carried unanimously.

GEORGIA NURSES ASSOCIATION – NURSE ADVOCATE PROGRAM

Sherry Sims discussed the need for a program that includes LPNs and discussed her desire to implement an alternative to the discipline program.

EXECUTIVE SESSION

Ms. Sipple moved, Ms. Phipps seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. §§43-1-2 (k); 43-1-19 (h); and 43-26-40, to deliberate on applications and enforcement matters and to receive information on applications, investigative cases and pending cases. The motion passed unanimously.

At the conclusion of Executive Session on Wednesday, December 5, 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.

APPROVAL OF MINUTES

Ms. Sipple moved to approve the October 17, 2012 Board Meeting Minutes as presented. Ms. Phipps seconded the motion and it carried unanimously.

Ms. Lockwood moved to approve the October 17, 2012 Board Meeting Executive Session Minutes as presented. Ms. Phipps seconded the motion and it carried unanimously.

Ms. Phipps moved to approve the November 14, 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. Lockwood moved to ratify the Cognizant's recommendations from the following complaints:

LPNI12001 LPNI120031 LPNI120040 LPNI120102 LPNI120041

Ms. Phipps seconded the motion and it carried unanimously.

APPLICATION REVIEWS AND APPROVAL OF LICENSURE

(LPNI = Licensed Practical Nurse Investigative Case Number)

Ms. Phipps moved to accept the Cognizant Report regarding unlicensed/unauthorized practice and to refer identified cases to Legal Services for issuance of a Private Consent Order. Ms. Sipple seconded the motion and it carried unanimously.

APP#1781656

APPLICATION REVIEWS AND APPROVAL OF LICENSURE

Ms. Sipple moved, Ms. Phipps seconded and the Board voted to approve applications for licensure for the months of October 2012 through December 2012 that were determined, pursuant to Board approved guidelines, to have met licensure requirements.

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



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



James Cleghorn, **Executive Director**