

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

**WEDNESDAY, FEBRUARY 13, 2013**

**MEMBERS PRESENT**

Kellie R. Lockwood, RN, MSN, Chair  
Fredettina "Tina" Fletcher, LPN, Vice Chair  
Krista Andrea Phipps, LPN  
Lisa Hedenstrom, CNO, RN  
Amy Hooper, 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

Ms. Lockwood called the meeting to order at 9:14 a.m. on Wednesday, February 13, 2013. A quorum to conduct disciplinary matters was determined to exist.

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

Maxinee Black Arias      Brian Capozzi

**EXECUTIVE DIRECTOR'S REPORT**

Mr. Cleghorn reported on the following administrative items:

- Status report on applications, complaints/compliance and final dispositions for December 2012 and January 2013
- House Bill 50 – Mandatory Reporting
- Senate Bill 13 – Mandatory Reporting
- Proposed Combination of Nursing Boards

**HOUSE BILL 332**

Ms. Phipps moved to request that the effective date be changed to July 1, 2014; that consideration be given to retaining some current members; and, that O.C.G.A. §43-26-35 be combined with O.C.G.A. §43-26-5. Ms. Fletcher seconded the motion and it carried unanimously.

**EXECUTIVE SESSION**

Ms. Phipps 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); 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, February 13, 2013, Ms. Lockwood 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)

**LPNI120071/LPNI130083** – Ms. Phipps moved to refer to the Attorney General's office for an indefinite suspension. The respondent may petition for restoration of license six (6) months from the docket date of the order. Petition for restoration must be accompanied by the results of a MPE completed within thirty (30) days of the petition. If license is restored, respondent will be assessed a fine of \$250 for failing to disclose her felony conviction to the Board as well as any other terms and condition deemed necessary by the Board. Ms. Hooper seconded the motion and it carried unanimously.

**LPNI120206**– Ms. Hooper moved to refer to the Attorney General's office for an indefinite suspension. The respondent may petition for restoration of license after completion of a psychosexual MPE performed by a board approved physician. Ms. Fletcher seconded the motion and it carried unanimously.

## **LEGAL SERVICES**

(LPNI = Licensed Practical Nurse Investigative Case Number)

**LPNI090038** – Ms. Phipps moved to rescind previous motion from the October 17, 2012 board meeting and refer to Legal Services hearing or private consent order to include probation for three (3) years, substance abuse stipulations, two (2) years narcotic restrictions and quarterly reports (employer, aftercare, personal and psychotherapy). Ms. Fletcher seconded the motion and it carried unanimously.

**LPNI120148** – Ms. Hedenstrom moved to uphold the previous board motion from the October 17, 2012 board meeting and 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. Hooper seconded the motion and it carried unanimously.

## **INVESTIGATIVE INTERVIEWS**

(LPNI = Licensed Practical Nurse Investigative Case Number)

**LPNI120168** – Ms. Fletcher moved to request documentation of clean drug screens over the past year to include documentation from Valdosta Therapy Center. Ms. Hooper seconded the motion and it carried unanimously.

**LPNI090136** – Ms. Phipps moved to deny license renewal. The respondent may apply for reinstatement of licensure after twelve (12) months of continuous, documented sobriety starting after March 31, 2013. Ms. Hooper seconded the motion and it carried unanimously.

## **APPLICATION REVIEW**

(LPNI = Licensed Practical Nurse Investigative Case Number)

**Applicant W.B., #1740918** – Ms. Phipps moved to proceed with licensure by examination with a Letter of Concern re: Criminal. Ms. Hooper seconded the motion and it carried unanimously.

**Applicant S.W., #1803418** – Ms. Fletcher moved to request applicant to come for a personal appearance before the board. Ms. Hedenstrom seconded the motion and it carried unanimously.

## **POSSIBLE VIOLATION OF CONSENT ORDER**

(LPNI = Licensed Practical Nurse Investigative Case Number)

**LPNI100175** – Ms. Phipps moved to pursue service of order through overnight courier. If no response, proceed to hearing. Ms. Hooper seconded the motion and it carried unanimously.

**LPNI100272**– Ms. Fletcher moved to refer to the Attorney General's office for an indefinite suspension for noncompliance. Ms. Hedenstrom seconded the motion and it carried unanimously.

**LPNI110004** – Ms. Hooper moved to deny license renewal and refer to the Attorney General's office for an indefinite suspension for noncompliance. Ms. Phipps seconded the motion and it carried unanimously.

### **COMPLAINT INVESTIGATION REVIEW**

(LPNI = Licensed Practical Nurse Investigative Case Number)

**LPNI130105** – Ms. Fletcher moved to refer to Legal Services for a hearing or private consent order to include a fine of \$500 for failure to disclose arrests on two separate applications. Ms. Hooper seconded the motion and it carried unanimously.

**LPNI130073** – Ms. Phipps moved to close the case. Ms. Hedenstrom seconded the motion and it carried unanimously.

**LPNI130082** – Ms. Hedenstrom moved to close the case. Ms. Hooper seconded the motion and it carried unanimously.

### **COMPLIANCE WITH BOARD ORDER**

(LPNI = Licensed Practical Nurse Investigative Case Number)

**LPNI090093** – Ms. Fletcher moved to accept the documentation and close the case. Ms. Phipps seconded the motion and it carried unanimously.

### **CONSENT AGREEMENTS/ORDERS – ATTORNEY GENERAL'S OFFICE**

(LPNI = Licensed Practical Nurse Investigative Case Number)

Ms. Phipps 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:

#### **LPNI110398**

Ms. Hooper seconded the motion and it carried unanimously.

**LPNI110207** – Ms. Phipps moved to close the case in the Attorney General's office and flag license renewal. Ms. Hooper seconded the motion and it carried unanimously.

**LPNI110418** – Ms. Phipps moved to close the case in the Attorney General's office and flag license renewal. If the respondent submits an application for license renewal, refer back to the Attorney General's office. Ms. Hooper seconded the motion and it carried unanimously.

**LPNI100091** – Ms. Hooper moved to close the case with a Letter of Concern re: Patient Abuse. Ms. Phipps seconded the motion and it carried unanimously.

**LPNI100072** – Ms. Hooper moved to close the case with a Letter of Concern re: Criminal. Ms. Fletcher seconded the motion and it carried unanimously.

Ms. Phipps moved to accept the memo to hold license renewals pending resolution of open cases. Ms. Hedenstrom seconded the motion and it carried unanimously.

**LPNI110458** – Ms. Fletcher moved to deny license renewal due to violation of MPE order and proceed to hearing. Ms. Hooper seconded the motion and it carried unanimously.

### **EDUCATION REPORT**

#### **BAUDER COLLEGE**

Ms. Hooper moved to grant Full Approval to the Licensed Practical Nursing Program at Bauder College upon successful completion of a site visit by the board. Ms. Hedenstrom seconded the motion and it carried unanimously.

## RULES HEARING

### AMENDMENTS TO RULE CHAPTER 400-3.

Ms. Fletcher moved to adopt the proposed changes to 400-3.

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

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

(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. A 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 of Georgia;

3. A 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.

(f) "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" 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 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) "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 thirty (30) days of such change.

(i) "Survey of need" refers to statements from potential affiliating clinical facilities' on agency letterhead which describe the following:

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.

(j) "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 co-requisite courses, a course description, learning goals or objectives, related learning activities, and clinical experience, if appropriate.

(2) At least twelve (12) months prior to the initial enrollment of students, 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) "Survey of Need", which demonstrates that current needs cannot be met by existing nursing education programs within a fifty (50) 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; and

(iii) describing how 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 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.

(3) At least ten (10) months prior to the 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 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 mailing address and other contact information for the program;

(d) A completed Clinical Facilities Information Sheet provided by the board which includes all requested information about the affiliating agencies;

(e) The Clinical Facility Self-Study Report from each proposed clinical facility which includes a current contract agreement between the sponsoring agency and the clinical facility.

(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 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 nursing education program.

(5) At least eight (8) months prior to the initial enrollment of students, 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 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) Access to school/program catalog;

(g) All program and student policies as required by Rule 400-3-.10 (2).

(6) At least four (4) months prior to the initial enrollment of students, 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 student learning and progress evaluation procedures.

(7) At least one (1) month prior to the initial enrollment of students, the completed Nursing Faculty Summary Sheet, and the Nursing Faculty Qualification Records, and 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 enrollment of students.

(a) If Provisional Approval is not granted, an explanation shall be included in the report to the school.

(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 examination results are reviewed by the Board.

(9) No later than one (1) month after the initial enrollment of students, 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.

(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 initial graduating class have passed their initial licensing examination after graduation during the period of Provisional Approval.

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

(a) While on conditional approval, the program must demonstrate compliance with all Board Laws and Rules and the program must achieve a 80% pass rate of its graduates who have taken their initial licensing examination.

(b) Failure to achieve Full Approval within a three (3) 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, 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 if different from materials submitted in Report II;

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

#### **400-3-.03 Repealed.**

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

(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 400-3-.03(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. 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 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 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.

#### **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.

- (i) Anatomy and Physiology
- (ii) Basic Microbiology
- (iii) Medical Terminology
- (iv) Basic Nutrition
- (v) Basic Pharmacology
- (vi) Medication Administration
- (vii) Principles of IV Therapy
- (viii) Legal and Ethical Healthcare Issues
- (ix) Professional and Customer Relationships
- (x) The Nursing Process and Critical Thinking Skills
- (xi) Physical Assessment Techniques
- (xii) Cardiopulmonary Resuscitation
- (xiii) Principles and Skills of Nursing Practice
- (xiv) Basic Emergency Care
- (xv) Geriatric Nursing Care
- (xvi) End of Life Nursing Care
- (xvii) Medical Surgical Nursing Care
- (xviii) Obstetrical Nursing Care
- (xix) Pediatric Nursing Care
- (xx) Mental Health and Illness Nursing Care
- (xxi) Community Health Nursing Care and Health Care Delivery Systems
- (xxii) Leadership and Management Skills
- (xxiii) English
- (xxiv) Math
- (xxv) Psychology
- (xxvi) Sociology
- (xxvii) Chemistry
- (xxviii) Computer Literacy

(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 ten (10) students per one (1) instructor.
2. The sponsoring agency shall consider a lower ratio when clinical space, patient acuity and patient census are insufficient to accommodate the ten (10) to one (1) ratio.

(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 seven (7) years.

(b) In addition to the qualifications set forth in subsection (a) above, the director of a nursing education program shall have at least a baccalaureate degree in nursing and one (1) year of teaching experience in a nursing education program, (included in the required three (3) 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.

(b) The nursing faculty shall participate in the development, implementation, instruction, evaluation, and revision of the entire nursing education program. 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.
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.
- (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.

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

(1) Definitions.

(a) The "preceptor" holds a valid Georgia license as a registered professional nurse, 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 shall maintain documentation which demonstrates that all nursing clinical preceptors meet requirements provided in Rule 400-3-.09.

(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 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 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. Amended**

### **(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 fifty (50) mile radius.
- (b) The students' total scheduled instructional time for classroom and clinical experiences shall 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. The policy shall be reviewed annually and revised as necessary in writing.
- (d) 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;
  - 2. The clinical experience instructor-student ratio shall not exceed a one (1) to ten (10) ratio;
  - 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;
  - 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 on the unit;
  - 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-.02(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

(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 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. Amended**

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

(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 secure location for syringes and needles.

(b) A 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 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-.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 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.

**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 clinical affiliates shall be conducted by board representatives to verify compliance with board laws and rules. All requested documentation shall be received by the Board prior to the site visit.

(2) Site visits are conducted:

(a) Initially and as needed for all new programs until the program achieves Full Approval status.

(b) To the new clinical affiliate(s) during the practical nursing education program's next routine visit.

(c) At the Board's discretion.

(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 with applicable Georgia law and Board rules.

(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 previous calendar year and shall include:

1. General information on the program including, but not limited to name, addresses, 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 summary for all nursing faculty and all 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 (1)(f).

6. A description of anticipated program changes for the coming year.

(b) 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.

(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 Services or appropriate management at the clinical affiliate and shall be submitted to the board.

(d) The Nursing Faculty Summary Sheet shall be submitted to the board by the program director as a listing of all full time and part time nursing employees of the program and all preceptors.

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

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

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

(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 after the program's receipt of the Site Visit Report. The Practical Nursing Program Site Visit Response shall include the program's plan to correct the deficiencies cited in the Site Visit Report.

(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 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.

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

(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 1st through December 31st of the preceding year.

(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. 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.

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

(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, 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.
- (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.
- (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. Amended**

(1) The following proposed changes in the practical nursing education program require board approval prior to their implementation. The program shall electronically submit the information to the board at least four (4) weeks prior to the board meeting at which the changes will be considered.

(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 Clinical Learning Focus Objectives for the experience for the proposed facility(ies) as provided in Rule 400-3-.02(1)(d).
  5. The Clinical Rotation Plan which demonstrates student assignment at the proposed facility(ies) as provided in Rule 400-3-.02(1)(e).
  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.
- (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. Practical Nursing Education Program name change requires the former name, new name, and effective date.

#### **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 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 Repealed.**

Ms. Hooper seconded the motion and it carried unanimously.

Ms. Hooper 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. Hedenstrom seconded the motion and it carried unanimously.

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

Ms. Hedenstrom moved to adopt the proposed changes to 400-2-.03.

### **400-2-.03 Repealed**

Ms. Hooper seconded the motion and it carried unanimously.

Ms. Hedenstrom 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. Fletcher moved to adopt the proposed changes to 400-2-.04.

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

(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) 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. Hedenstrom seconded the motion and it carried unanimously.

Ms. Hooper 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. Hedenstrom seconded the motion and it carried unanimously.

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

Ms. Hooper moved to adopt the proposed changes to 400-6-.01.

**400-6-.01 Fees. Amended**

(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, of Licensees;

(h) Copied Materials;

(i) Any additional fee the Board deems appropriate.

Ms. Hedenstrom seconded the motion and it carried unanimously.

Ms. Fletcher 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. Hooper seconded the motion and it carried unanimously.

## EXECUTIVE SESSION

Ms. Hooper 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); 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, February 13, 2013, Ms. Lockwood declared the meeting to be "open" pursuant to the Open and Public Meeting Act, O.C.G.A. §§ 50-14-1 et seq.

## LEGAL/DISCIPLINE COGNIZANT CASES REPORT

(LPNI=Licensed Practical Nurse Investigative Case Number)

Ms. Hedenstrom moved to ratify the Cognizant's recommendations from the following complaints:

LPNI120255	LPNI120120	LPNI120224	LPNI130006	LPNI110134	LPNI120215	LPNI120204
LPNI100248	LPNI130003	LPNI120066	LPNI120100	LPNI090147	LPNI080141	LPNI100175
LPNI120247	LPNI120206	LPNI130004	LPNI110332	LPNI130016	LPNI120177	LPNI100014
LPNI120243	LPNI120213	LPNI090073	LPNI120232	LPNI130007	LPNI120174	LPNI120189
LPNI120186	LPNI120187	LPNI120092	LPNI130014	LPNI130062	LPNI090093	LPNI130072
LPNI120250	LPNI120238	LPNI120256	LPNI130077	LPNI130078	LPNI130092	

Ms. Hooper seconded the motion and it carried unanimously.

## LEGAL/DISCIPLINE COGNIZANT FAILURE TO DISCLOSE CASES REPORT

(LPNI = Licensed Practical Nurse Investigative Case Number)

Ms. Phipps 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. Hooper seconded the motion and it carried unanimously.

LPNI130101      LPNI130102

## 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. Hedenstrom seconded the motion and it carried unanimously.

APP#1801344    APP#1801544    APP#1805060

## APPROVAL OF MINUTES

Ms. Hooper moved to approve the December 5, 2012 Board Meeting Executive Session Minutes as presented. Ms. Fletcher seconded the motion and it carried unanimously.

Ms. Fletcher moved to approve the December 5, 2012 Board Meeting Minutes as presented. Ms. Phipps seconded the motion and it carried unanimously.

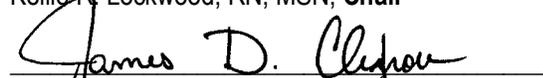
## APPLICATION REVIEWS AND APPROVAL OF LICENSURE

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

There being no further business, the meeting adjourned at 4:11 p.m.



Kellie R. Lockwood, RN, MSN, **Chair**



James Cleghorn, **Executive Director**