

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, JUNE 12, 2013

MEMBERS PRESENT

Kellie R. Lockwood, RN, MSN, Chair
Fredetena "Tina" Fletcher, LPN, Vice Chair
Lisa Hedenstrom, RN
Amy Hooper, LPN
Patricia Z. Marshall, LPN, NAAC

MEMBERS ABSENT

Krista Andrea Phipps, LPN

STAFF PRESENT

James Cleghorn, Executive Director
Janet Jackson, Assistant Attorney General
Wylencia Monroe, Assistant Attorney General (via teleconference for hearing only)

Ms. Lockwood called the meeting to order at 9:00 a.m. on Wednesday, April 10, 2013. A quorum to conduct disciplinary matters was determined to exist.

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

Hattie O'Bryant Joe Dan Banker Elaine Williams

LIAISON REPORT – HATTIE O'BRYANT

Ms. O'Bryant provided information about upcoming LPN Association activities.

EXECUTIVE DIRECTOR'S REPORT

Mr. Cleghorn reported on the following administrative items:

- Status report on applications, complaints/compliance and final dispositions for April 2013 and May 2013
- Board Motions
- NCSBN Annual Delegate Assembly

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, June 12, 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. No votes were taken during executive session.

ATTORNEY GENERAL'S OFFICE

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI1110282 – Ms. Fletcher moved to close the case with a Letter of Concern re: Documentation. Ms. Hooper seconded the motion and it carried unanimously.

LPNI090183 – Ms. Marshall moved to renew license with a letter stating that renewal does not preclude the Board from taking additional action against the respondent. Ms. Fletcher seconded the motion and it carried unanimously.

LPNI080032/LPNI100054 – Ms. Fletcher moved to close the cases in the Attorney General's office. The license was lapsed based on failure to submit a complete renewal application. Ms. Hooper seconded the motion and it carried unanimously.

LPNI110090 – Ms. Fletcher moved to close pending cases in the Attorney General's office. The license was lapsed based on failure to submit a complete renewal application. Ms. Hooper seconded the motion and it carried unanimously.

LPNI120142 – Ms. Fletcher moved to allow the respondent to renew the license with a letter indicating that granting renewal does not mean that her pending case before the Board has been resolved. Ms. Hedenstrom seconded the motion and it carried unanimously.

LPNI120206 – Ms. Hedenstrom moved to refer to the Attorney General's office for a hearing or public consent order to include probation for two (2) years, substance abuse stipulations, nursing courses in Medication Management and Respecting Professional Boundaries, and quarterly reports (employer, personal and psychotherapy). The respondent may petition for release of psychotherapy after one (1) year documentation of completion by therapist. The Board must receive a certified copy of the final court disposition of criminal case within ten (10) days of adjudication in which additional sanctions may be implemented pending the outcome of case. Ms. Fletcher seconded the motion and it carried unanimously.

PROPOSED CHANGES TO MODEL ORDERS

Ms. Hooper moved to appoint a committee of board members to review the proposed changes to the model MPE order. A report will be provided at the August 2013 meeting. Ms. Fletcher seconded the motion and it carried unanimously.

Ms. Hedenstrom moved to appoint a committee of board members to review the proposed changes to the model consent agreements. A report will be provided at the August 2013 meeting. Ms. Marshall seconded the motion and it carried unanimously.

COMPLAINT INVESTIGATION REVIEW

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI130046 – Ms. Fletcher moved to refer to the Attorney General's office for a hearing or to Legal Services for a private reprimand to include courses in Anger Management, Professional Conduct and Dealing with Difficult Patients. Ms. Hooper seconded the motion and it carried unanimously.

MENTAL/PHYSICAL EXAMINATION REVIEW

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI130014 – Ms. Marshall moved to refer to the Attorney General's office for a hearing or to Legal Services for a public 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 \$250 for diversion, and fine of \$120.90 for the cost of the investigation. The Board reserves the right to implement additional sanctions pending receipt of the court documents as a three (3) month suspension may be necessary if charge is a felony. Ms. Hedenstrom seconded the motion and it carried unanimously.

COMPLAINT INVESTIGATION REVIEW

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI130176 – Ms. Fletcher moved to close the case with a Letter of Concern re: Professional Conduct. Ms. Hedenstrom seconded the motion and it carried unanimously.

LPNI120227 – Ms. Fletcher moved to close the case with a Letter of Concern re: Medication Management. Ms. Marshall seconded the motion and it carried unanimously.

LPNI120227 – Ms. Marshall moved to require the respondent to submit a statement of incident for records if the respondent attempts to renew and issue a Letter of Concern relevant to the case. Ms. Marshall seconded the motion and it carried unanimously.

VIOLATION OF MPE ORDER

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI130158 – Ms. Hedenstrom moved to refer to the Attorney General's office for an indefinite suspension and renew the license. The petition for restoration must be accompanied by the results of a MPE completed within thirty (30) days of the petition. Ms. Hooper seconded the motion and it carried unanimously.

VIOLATION OF CONSENT ORDER

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI100034 – Ms. Fletcher moved to refer to the Attorney General's office for an indefinite suspension or voluntary surrender. Ms. Marshall seconded the motion and it carried unanimously.

MENTAL/PHYSICAL EXAMINATION REVIEW

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI120175 – Ms. Fletcher moved to refer to the Attorney General's office for a hearing or to Legal Services for a public consent order to include probation for five (5) years, substance abuse stipulations, two (2) years narcotic restrictions, quarterly reports (employer and personal) and monthly addiction counselor reports which includes random drug screens and weekly attendance at Narcotics Anonymous. Ms. Hooper seconded the motion and it carried unanimously.

COMPLAINT INVESTIGATION REVIEW

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI130090 – Ms. Marshall moved to close the case. Ms. Hedenstrom seconded the motion and it carried unanimously.

2013-2015 RENEWAL APPLICATION REVIEW

(LPNI = Licensed Practical Nurse Investigative Case Number)

LPNI130142 – Ms. Marshall moved to the Attorney General's office for a hearing or public consent order to include probation for two (2) years, substance abuse stipulations, quarterly reports (employer and personal), a statement of acknowledgement from the probation officer, a fine of \$500 for multiple DUIs and proof of completion of DUI school. The respondent must report any changes in the conditions of the criminal probation to include any violations or termination of probation within ten (10) days and may petition to terminate the terms of the order after completion of criminal probation and submission of an MPE completed within thirty (30) days of the petition. Ms. Hooper seconded the motion and it carried unanimously.

LPNI130135 – Ms. Hooper moved to require the respondent to submit certified copies of the final disposition on or before June 30, 2013. If the respondent fails to submit the documentation, lapse license based on failure to complete license renewal. The Board will not accept GCIC as certified court documents. Ms. Hedenstrom seconded the motion and it carried unanimously.

VIOLATION OF CONSENT ORDER

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LPNI130058 – Ms. Marshall moved to issue an amended public consent order to include probation for five (5) years, substance abuse stipulations, two (2) years narcotic restrictions, quarterly reports (employer, aftercare and personal) and a fine of \$250 for violation of consent order if treatment records are received prior to June 30, 2013. The respondent must notify the Board in writing of any changes to the terms and conditions of the criminal probation, including probation violations and/or termination of probation. If no treatment records are received by June 30, 2013, issue an Indefinite Suspension or Voluntary Surrender. The respondent may petition for restoration upon submission of treatment records or MPE results. Ms. Hooper seconded the motion and it carried unanimously.

LPNI130015 – Ms. Hedenstrom moved to allow license to lapse based on failure to complete the renewal application as required. Ms. Marshall seconded the motion and it carried unanimously.

MENTAL/PHYSICAL EXAMINATION REVIEW

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LPNI120017 – Ms. Hedenstrom moved to refer the Attorney General's office for a hearing or to Legal Services for a public 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. Hooper seconded the motion and it carried unanimously.

LPNI130063 – Ms. Fletcher moved to reject the MPE based on the MPE being completed by an advanced practice registered nurse and refer to the Attorney General's office for an indefinite suspension based on violation of MPE order. Ms. Marshall seconded the motion and it carried unanimously.

LPNI130148 – Ms. Hedenstrom moved to refer to the Attorney General's office 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 medication management and drug screens), a statement of acknowledgement from the probation officer, a fine of \$250 for failure to disclose arrests and a condition that the respondent must report any changes in the conditions of her criminal probation and final disposition of the pending criminal cases to include any violations or termination of probation within ten (10) days of the occurrence. The Board reserves the right to implement additional sanctions based on the outcome of the pending criminal cases. Ms. Marshall seconded the motion and it carried unanimously.

INVESTIGATIVE INTERVIEW

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LPNI120094 – Ms. Marshall moved to rescind the previous motion from the April 10, 2013 Board meeting and refer to the Attorney General's office for a hearing or Legal Services for a 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 with medication management and monthly drug screens). Ms. Hedenstrom seconded the motion and it carried unanimously.

EXECUTIVE SESSION

Ms. Fletcher moved, Ms. Hooper 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.

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EDUCATION REPORT

SOUTHERN CRESCENT TECHNICAL COLLEGE

Ms. Hedenstrom moved to approve Ms. Christina Taylor as the program director. Ms. Hooper seconded the motion and it carried unanimously.

BAINBRIDGE COLLEGE

Ms. Hooper moved to approve the curriculum change. Ms. Fletcher seconded the motion and it carried unanimously.

SOUTHERN CRESCENT TECHNICAL COLLEGE

Ms. Fletcher moved to approve the change pending completion of successful site visit. Ms. Hooper seconded the motion and it carried unanimously.

SIMULATION HOURS

The Board discussed allowing up to 75% of pediatric clinical hours to be complete in simulation and 75% of OB/GYN clinical hours to be completed in simulation.

EXECUTIVE SESSION

Ms. Fletcher moved, Ms. Hooper 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.

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APPROVAL OF MINUTES

Ms. Fletcher moved to approve the April 10, 2013 board meeting minutes as presented. Ms. Phipps seconded the motion and it carried unanimously.

Ms. Hedenstrom moved to approve the May 24, 2013 teleconference board meeting minutes as presented. Ms. Hooper seconded the motion and it carried unanimously.

APPLICATION REVIEWS AND APPROVAL OF LICENSURE

Ms. Fletcher moved, Ms. Hedenstrom seconded and the Board voted to approve applications for licensure for the months of April 2013 through May 2013 that were determined, pursuant to Board approved guidelines, to have met licensure requirements.

LEGAL/DISCIPLINE COGNIZANT FAILURE TO DISCLOSE CASES REPORT

(LPNI = Licensed Practical Nurse Investigative Case Number)

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

LPNI130189 LPNI130193 LPNI130194

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:

LPNI130168	LPNI130165	LPNI085343	LPNI120006	LPNI130191	LPNI130169	LPNI130190
LPNI120166	LPNI130170	LPNI130185	LPNI130118	LPNI120245	LPNI130121	LPNI130124
LPNI110450	LPNI130114	LPNI130126	LPNI120150	LPNI130116	LPNI130115	LPNI130178
LPNI130180	LPNI130187	LPNI130090	LPNI130188	LPNI130155	LPNI130142	

Ms. Fletcher seconded the motion and it carried unanimously.

ATTORNEY GENERAL'S OFFICE

(LPNI=Licensed Practical Nurse Investigative Case Number)

Ms. Hedenstrom moved to allow renewals listed if the renewal application submitted is complete.

LPNI120031	LPNI110360	LPNI110551	LPNI100008	LPNI100264	LPNI110377	LPNI100209
LPNI080149	LPNI100367					

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.

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HEARING – SB

(LPNI = Licensed Practical Nurse Investigative Case Number)

The Board held a hearing in the case styled "In the Matter of Susan Carole Brewer", Docket Number 2013-0628. Kellie Lockwood, Board Chair, presided. The Board was represented by Janet K. Jackson, Sr. Assistant Attorney General and Ms. Brewer, the Respondent, appeared and represented herself. After presentation of evidence by the Board and by the Respondent, the Board closed the hearing and went into Executive Session to deliberate the evidence presented. During deliberations, the Board was assisted by Wylencia Monroe, Sr. Assistant Attorney General, who attended the hearing via teleconference. The Board reached a decision, came out of executive session, and resumed the hearing in open session. The motion for adoption of a Final Decision of the Board was made by Ms. Fletcher and seconded by Ms. Hooper. The Final Decision was read in open session and stated that Respondent's license shall be renewed, but suspended for a minimum of six (6) months from the docketing date of the written Final Decision, at which time the Respondent may petition the Board to lift the suspension of her license. The Respondent's petition shall include the results of a mental/physical examination that shall contain findings as to whether the Respondent is safe to practice as an LPN with respect to chemical dependency. The motion to adopt the Final Decision as presented was passed by the Board.

EXECUTIVE SESSION

Ms. Hedenstrom moved, Ms. Hooper 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, June 12, 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. No votes were taken during executive session.

APPROVAL OF MINUTES

Ms. Fletcher moved to approve the April 10, 2013 board meeting Executive Session minutes as presented. Ms. Hooper seconded the motion and it carried unanimously.

Ms. Hooper moved to approve the May 24, 2013 teleconference board meeting Executive Session minutes as presented. Ms. Fletcher seconded the motion and it carried unanimously.

There being no further business, the meeting adjourned at 5:41 p.m.

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

James Cleghorn, **Executive Director**