

The Georgia Board of Nursing met July 16-18, 2014 in Building B of the Professional Licensing Boards Division of the Secretary of State located at 237 Coliseum Drive, Macon, Georgia 31217.

### WEDNESDAY, JULY 16, 2014

#### MEMBERS PRESENT

Brenda Rowe, RN, MN, JD, President  
Kellie Lockwood, RN, MSN, Vice President  
Nancy Barton, RN, MSN  
Tammy Burdeaux, RN, BSN, CRNI  
Tina Fletcher, LPN  
Lisa Hedenstrom, RN, MSN, MBA, NEA-BC  
Amy Hooper, LPN  
Katherine Mann, RN, CRNA  
Andrea Phipps, LPN  
Rhonda Scott, PhD, RN, CS  
Dellarie Shilling, RN, DNP, FNP-BC

#### MEMBERS ABSENT

Ashley Barnett, Consumer

#### STAFF PRESENT

James Cleghorn, Executive Director  
Amelia Baker, JD, Assistant Attorney General  
Patricia McAfee, RN, MSN, Nursing Consultant - Legal/Discipline

#### PERSONAL APPEARANCES

JH- RNI140649

Rowe called the meeting to order at 10:00 a.m. on Wednesday, July 16, 2014. A quorum to conduct disciplinary matters was present.

#### ELECTION OF OFFICERS

The Board elected Brenda Rowe as President and Kellie Lockwood as Vice President by acclamation.

#### EXECUTIVE SESSION

Scott moved, Lockwood seconded and the Board voted to enter into Executive Session in accordance with O.C.G.A. §§ 43-1-2(k); 43-1-19(h), 43-26-5(c) and 43-26-11, to deliberate on applications and enforcement matters and to receive information on applications, investigative reports and pending cases. The motion passed unanimously.

At the conclusion of the Executive Session on Wednesday, July 16, 2014, Rowe 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.

#### APPLICATION REVIEWS AND APPROVAL OF LICENSURE

Applicant S.H., #2317484 – Mann moved to deny licensure. The respondent may reapply after twenty four (24) months of continuous documented sobriety and completion of MPE within thirty (30) days of submission of application. Barton seconded the motion and it carried unanimously.

**Applicant A.D., #2449286** – Phipps moved to deny licensure. The respondent may reapply after resolution of criminal charges in Florida. Scott seconded the motion and it carried unanimously.

**Applicant A.G., #2286280** – Mann moved to deny licensure. The respondent may reapply upon completion of drug court and MPE within thirty (30) day of submission of application. Phipps seconded the motion and it carried with Lockwood abstaining.

**Applicant J.G., #2443271** – Hooper moved to proceed with licensure by endorsement with a Letter of Concern re: Criminal. Lockwood seconded the motion and it carried unanimously.

**Applicant A.N., #2441140**– Phipps moved to write applicant to have an outpatient MPE as a condition of the Board's consideration of the reinstatement application. Results are to be reviewed by the investigative committee and the Legal/Discipline Nurse Consultant. If warranted, refer to Legal Services or Attorney General's office for a consent agreement utilizing evaluation results and/or recommendations. If not warranted, close the case. Barton seconded the motion and it carried unanimously.

**Applicant S.S., #2462469** – Phipps moved to proceed with licensure by endorsement with a Letter of Concern re: Criminal if the respondent is not on probation with the Florida Board of Nursing. Hooper seconded the motion and it carried unanimously.

**Applicant E.G., #2461048** – Phipps moved to proceed with licensure by examination. Mann seconded the motion and it carried unanimously.

**Applicant D.L., #2472949** – Mann moved to proceed with licensure by endorsement with a Letter of Concern re: Action in Another Jurisdiction. Phipps seconded the motion and it carried unanimously.

**Applicant D.C., #2313337** – Mann moved to deny licensure. The respondent may reapply after completion of criminal probation. Fletcher seconded the motion and it carried unanimously.

**Applicant K.B., #2439000** – Burdeaux moved to proceed with licensure by endorsement with a Letter of Concern re: Action in Another Jurisdiction. Phipps seconded the motion and it carried unanimously.

**Applicant M.D., #1214837** – Burdeaux moved to deny licensure. The respondent may reapply after twenty four (24) months of continuous documented sobriety. Lockwood seconded the motion and it carried unanimously.

#### **VIOLATION OF MPE ORDER**

(LPNI = Licensed Practical Nurse Investigative Case Number)

**LPNI140054** – Barton moved to refer to the Attorney General's office to order licensee to have an expedited outpatient MPE and handserve. Results are to be reviewed by the investigative committee and the Legal/Discipline Nurse Consultant. If warranted, refer to Legal Services or Attorney General's office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Phipps seconded the motion and it carried unanimously.

#### **VIOLATION OF CONSENT ORDER**

(LPNI = Licensed Practical Nurse Investigative Case Number)

**LPNI120018** – Mann moved to refer to the Attorney General's office for a voluntary surrender or indefinite suspension. Scott seconded the motion and it carried unanimously.

#### **COMPLAINT INVESTIGATION REVIEW**

(LPNI = Licensed Practical Nurse Investigative Case Number)

**LPNI140159** – Barton moved to refer to Investigations and obtain statement from respondent. Obtain statements from employer with documentation showing the clock in/out times. Hooper seconded the motion and it carried with Rowe abstaining.

**LPNI140027** – Shilling moved to close the case. Lockwood seconded the motion and it carried unanimously.

**LPNI130079** – Hooper moved to hand serve the Division Director with MPE order, document all diligent efforts to serve the licensee and refer to the Attorney General's office for a summary suspension. Phipps seconded the motion and it carried unanimously.

### **ACTION IN ANOTHER JURISDICTION**

(LPNI = Licensed Practical Nurse Investigative Case Number)

**LPNI150014** – Hooper moved to close the case. Mann seconded the motion and it carried unanimously.

### **VIOLATION OF CONSENT ORDER**

(RNI – Registered Nurse Investigative Case Number)

**RNI140237** – Barton moved to refer to the Attorney General's office for a voluntary surrender or indefinite suspension. Burdeaux seconded the motion and it carried unanimously.

**RNI090265** – Shilling moved to refer to the Attorney General's office for a voluntary surrender or indefinite suspension. Phipps seconded the motion and it carried unanimously.

### **REQUEST TO LIFT SUSPENSION**

(RNI – Registered Nurse Investigative Case Number)

**RNI120689** – Shilling moved to refer to the Attorney General's office for a hearing or public consent order to include four (4) years probation, substance abuse stipulations, two (2) years narcotic restrictions and quarterly reports (employer, aftercare, personal and psychotherapy). Barton seconded the motion and it carried unanimously.

### **REQUEST FOR INACTIVE STATUS**

(RNI – Registered Nurse Investigative Case Number)

**RNI130121** – Mann moved to approve request for inactive status. Phipps seconded the motion and it carried unanimously.

### **REINSTATEMENT APPLICATION REVIEW**

(RNI – Registered Nurse Investigative Case Number)

**RNI140250** – Mann moved to refer to Legal Services for a mitigating letter to require the licensee to complete courses in Professional Accountability, Documentation, Georgia Nurse Practice Act, and Verifying Physician Orders. If the courses are completed within thirty (30) days, close the case with a Letter of Concern re: Unprofessional Conduct. Burdeaux seconded the motion and it carried unanimously.

### **SELF REPORT**

(RNI – Registered Nurse Investigative Case Number)

**RNI140659** – Shilling moved to close the case. Burdeaux seconded the motion and it carried unanimously.

### **COMPLAINT INVESTIGATION REVIEW**

(RNI – Registered Nurse Investigative Case Number)

**RNI140195** – Mann moved to refer to the Attorney General's office for a public reprimand to include courses in Patient Safety, Elder Abuse, Ethics and Professional Accountability. Phipps seconded the motion and it carried unanimously.

### **MPE RESULTS**

(RNI=Registered Nurse Investigative Case Number)

**RNI120625** – Lockwood moved to close the case. Scott seconded the motion and it carried unanimously.

### **REQUEST TO CHANGE EMPLOYMENT**

(RNI – Registered Nurse Investigative Case Number)

**RNI120115** – Hooper moved to approve request for change in employment. The respondent must remain under supervision at all times. Phipps seconded the motion and it carried unanimously.

## **PETITION FOR EARLY TERMINATION OF PROBATION**

(RNI=Registered Nurse Investigative Case Number)

**RNI110956** – Lockwood moved to approve request for termination of probation. Barton seconded the motion and it carried unanimously.

## **SELF REPORT**

(RNI – Registered Nurse Investigative Case Number)

**RNI140255** – Hooper moved to refer to the Attorney General's office for a hearing or public consent order to include four (4) years probation, substance abuse stipulations, two (2) years narcotic restrictions, quarterly reports (employer, aftercare, personal and psychotherapy) and random monthly drug screens. Phipps seconded the motion and it carried unanimously.

## **REQUEST TO LIFT SUSPENSION**

(RNI – Registered Nurse Investigative Case Number)

**RNI080233** – Lockwood moved to lift suspension and refer to the Attorney General's office for a hearing or public consent order to include three (3) years probation, substance abuse stipulations, quarterly reports (employer, aftercare and personal) and quarterly random drug screens. The respondent must submit quarterly reports from treating physician regarding naltrexone treatment. Fletcher seconded the motion and it carried unanimously.

## **COMPLAINT INVESTIGATION REVIEW**

(RNI – Registered Nurse Investigative Case Number)

**RNI140204** – Hooper moved to refer to the Attorney General's office to order licensee to have an outpatient MPE. Results are to be reviewed by the investigative committee and the Legal/Discipline Nurse Consultant. If warranted, refer to Legal Services or Attorney General's office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Mann seconded the motion and it carried unanimously.

**RNI110384** – Mann moved to refer to the Attorney General's office for a hearing or public consent order to include four (4) years probation, substance abuse stipulations, two (2) years narcotic restrictions and quarterly reports (employer, aftercare and personal). Lockwood seconded the motion and it carried unanimously.

## **LEGAL SERVICES**

(LPNI = Licensed Practical Nurse Investigative Case Number) (RNI=Registered Nurse Investigative Case Number)

**LPNI120055** – Scott moved to refer to the Attorney General's office to order licensee to have an expedited outpatient MPE. Results are to be reviewed by the investigative committee and the Legal/Discipline Nurse Consultant. If warranted, refer to Legal Services or Attorney General's office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Burdeaux seconded the motion and it carried unanimously.

**LPNI120018** – Shilling moved to refer to the Attorney General's office for a public consent order with the same terms as provided by the Georgia Board of Examiners of Licensed Practical Nurses. If no response within thirty (30) days, proceed to hearing. Lockwood seconded the motion and it carried unanimously.

**LPNI140167** – Scott moved to request the respondent to have employer submit updated documentation of employment dates on the verification of employment. If there is no evidence of unlicensed practice, rescind the previous motion from the June 11, 2014 board meeting. If there is evidence of unlicensed practice, uphold the previous board motion from the June 11, 2014 board meeting. Burdeaux seconded the motion and it carried unanimously.

**RNI140130** – Burdeaux moved to amend the public consent order to include one (1) propofol drug screen test per month and random drug screens twice per month. Fletcher seconded the motion and it carried unanimously.

**RNI140637** – Lockwood moved to rescind the previous motion from the May 14-16, 2014 board meeting and proceed with reinstatement of licensure. Hooper seconded the motion and it carried unanimously.

**RNI140664** – Fletcher moved to uphold the previous motion from the June 17, 2014 board meeting. Scott seconded the motion and it carried unanimously.

**RNI120112** – Shilling moved to schedule respondent for an investigative interview. Hooper seconded the motion and it carried unanimously.

**RNI100069** – Shilling moved to deny the request. Phipps seconded the motion and it carried unanimously.

**RNI140666** – Scott moved to uphold the previous motion from the June 17, 2014 board meeting. Barton seconded the motion and it carried unanimously.

### **PERSONAL APPEARANCE**

(RNI=Registered Nurse Investigative Case Number)

**RNI140649** – Burdeaux moved to proceed with licensure by endorsement upon successful completion of a Board approved reentry program. Fletcher seconded the motion and it carried unanimously.

### **INVESTIGATIVE INTERVIEW**

(LPNI = Licensed Practical Nurse Investigative Case Number) (RNI=Registered Nurse Investigative Case Number)

**RNI130540** – Burdeaux moved to close the case. Fletcher seconded the motion and it carried unanimously.

**RNI140634** – Fletcher moved to amend language in consent agreement from "CRNA" to "nurse practitioner" and uphold fine for unlicensed practice. Phipps seconded the motion and it carried unanimously.

**RNI110875** – Lockwood moved to refer to the Attorney General's office for a hearing or private consent order to include two (2) years probation, quarterly reports (personal and psychotherapy) and quarterly random drug screens. Barton seconded the motion and it carried unanimously.

**RNI140100** – Barton moved to proceed with licensure by endorsement with a Letter of Concern re: Criminal and Failure to Disclose if the Board receives statement from the respondent's physician that the respondent can practice with reasonable skill and safety. Scott seconded the motion and it carried unanimously.

**LPNI150019** – Lockwood moved to write applicant to have an outpatient MPE as a condition of the Board's consideration of the reinstatement application. Results are to be reviewed by the investigative committee and the Legal/Discipline Nurse Consultant. If warranted, refer to Legal Services or Attorney General's office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. If the MPE is approved, the respondent must complete a Board approved reentry program. Phipps seconded the motion and it carried unanimously.

### **REQUEST TO LIFT NARCOTIC RESTRICTIONS**

(RNI=Registered Nurse Investigative Case Number)

Phipps moved to accept the following recommendations for the cases listed below:

	<b>RECOMMENDED ACTION</b>
<b>RNI100115</b>	Lift narcotic restrictions.
<b>RNI120612</b>	Lift narcotic restrictions.

Scott seconded the motion and it carried unanimously.

### **LEGAL/DISCIPLINE COGNIZANT CASES REPORT**

(RNI=Registered Nurse Investigative Case Number)

Barton moved to ratify the Cognizant's' recommendations and to close the following complaints:

**RNI144074      RNI140597      RNI130650      RNI140068      RNI140049      RNI110631**

Mann seconded the motion and it carried unanimously.

**ORDER TERMINATIONS BETWEEN MEETINGS**

(RNI=Registered Nurse Investigative Case Number)

Phipps moved to accept the following terminations of probation between meetings.

**Pipkin, Lisa Hocker      Bishop, Margaret Marshall      RNI080254**

Fletcher seconded the motion and it carried unanimously.

**LEGAL/DISCIPLINE COGNIZANT CASES REPORT**

(LPNI = Licensed Practical Nurse Investigative Case Number)

Hooper moved to ratify the Cognizant's' recommendations and to close the following complaints:

**LPNI140030      LPNI140130**

Phipps seconded the motion and it carried unanimously.

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

Burdeaux moved to ratify the Private Consent Agreements for licensure with a fine of \$500 for failure to disclose arrest(s)/disciplinary action on applications that were issued according to the Board's policies.

**APP#24561655    APP# 2458849    APP#1848000    APP#1836885    APP#2438476    APP#2391667    APP# 2458528**

Mann seconded the motion and it carried unanimously.

There being no further business, the meeting adjourned Wednesday, July 16, 2014 at 7:00 p.m.

THURSDAY, JULY 17, 2014

MEMBERS PRESENT

Brenda Rowe, RN, MN, JD, President  
Kellie Lockwood, RN, MSN, Vice President  
Nancy Barton, RN, MSN  
Tammy Burdeaux, RN, BSN, CRNI  
Tina Fletcher, LPN  
Lisa Hedenstrom, RN, MSN, MBA, NEA-BC  
Amy Hooper, LPN  
Katherine Mann, RN, CRNA  
Andrea Phipps, LPN  
Rhonda Scott, PhD, RN, CS  
Dellarie Shilling, RN, DNP, FNP-BC

MEMBERS ABSENT

Ashley Barnett, Consumer

STAFF PRESENT

James Cleghorn, Executive Director  
Amelia Baker, JD, Assistant Attorney General  
Sandra Rayburn, RN, Education Consultant

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

Debbie Hackman Bartlett	Sandra Greniewicki	Pat Horton	Sharon Wilson	Dina Hewett
Maxinee Black-Arias	Mary Chris Murray			

Rowe called the meeting to order at 8:30 a.m. on Thursday, May 15, 2014. A quorum to conduct disciplinary matters was present.

EXECUTIVE SESSION

Hooper moved, 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), 43-26-5(c) and 43-26-11, to deliberate on applications and enforcement matters and to receive information on applications, investigative reports and pending cases. The motion passed unanimously.

At the conclusion of the Executive Session on Thursday, July 17, 2014, Rowe 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.

INVESTIGATIONS

(LPNI = Licensed Practical Nurse Investigative Case Number) (RNI=Registered Nurse Investigative Case Number)

LPNI090097 – Hooper moved to refer to the Attorney General's office for a hearing or public consent order to include a fine of \$500 for failure to disclose. Phipps seconded the motion and it carried unanimously.

LPNI100209 – Phipps moved to refer to the Attorney General's office for a revocation based on failure to disclose and to request respondent to submit a certified copy of the action by the Florida Board of Nursing regarding 2007 revocation and criminal conviction records. Mann seconded the motion and it carried unanimously.

LPNI140010 – Hooper moved to close the case with a Letter of Concern re: Documentation. Scott seconded the motion and it carried unanimously.

**LPN140107** – Phipps moved to refer to Legal Services to order licensee to have an outpatient MPE. Results are to be reviewed by the investigative committee and the Legal/Discipline Nurse Consultant. If warranted, refer to Legal Services or Attorney General's office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Hooper seconded the motion and it carried unanimously.

**RNI130317** – Mann moved to refer to the Attorney General's office for a public reprimand to include courses in Documentation, Professional Accountability and Ethics and a fine of \$500 for unprofessional conduct and \$251.81 for investigative costs. Phipps seconded the motion and it carried unanimously.

**RNI140539** – Phipps moved to advise that the respondent is exceeding scope of practice related to Botox based on a June 2013 ruling by the Georgia Composite Medical Board. The respondent must cease and desist immediately and provide copies of all physician protocols. The complaint will also be referred to the Georgia Composite Medical Board regarding the physician's involvement. Hooper seconded the motion and it carried unanimously.

**RNI140205** – Phipps moved to close the case. Hooper seconded the motion and it carried unanimously.

**RNI110091** – Phipps moved to refer to investigations to obtain current contact information and to communicate to the licensee that licensure renewal will be denied unless courses are completed within thirty (30) days of contact. Hold the 2015-2017 renewal if the courses are not completed. In accordance with O.C.G.A. §43-1-19 and O.C.G. A. §50-13-18, the Board has the authority to refuse to grant and/or renew a license. Lockwood seconded the motion and it carried unanimously.

**RNI140322** – Phipps moved to refer the case for peer review. Burdeaux seconded the motion and it carried unanimously.

**RNI140346** – Phipps moved to close the case. Scott seconded the motion and it carried unanimously.

**RNI140317** – Hooper moved to refer to the Attorney General's office for a public reprimand to include courses in Documentation, Medication Administration and Handling of Narcotics and a fine of \$500 for unprofessional conduct related to medication errors. Phipps seconded the motion and it carried unanimously.

**RNI140084** – Phipps moved to schedule respondent for an investigative interview and obtain documentation of days worked at Upson in the time frame of alleged incidents. Shilling seconded the motion and it carried unanimously.

**RNI140559** – Hooper moved to refer to Legal Services to order licensee to have an outpatient MPE. Results are to be reviewed by the investigative committee and the Legal/Discipline Nurse Consultant. If warranted, refer to Legal Services or Attorney General's office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Phipps seconded the motion and it carried unanimously.

**RNI140343** – Burdeaux moved to refer investigations. Burdeaux seconded the motion and it carried unanimously.

**RNI140589** – Hooper moved to refer to the Attorney General's office for a public reprimand to include courses in Documentation and Accountability and a fine of \$500 for unprofessional conduct. The respondent must provide documentation of resolution of criminal charges within ten (10) days of adjudication. The Board reserves the right to implement additional sanctions based upon the outcome of the criminal case. Phipps seconded the motion and it carried unanimously.

**RNI140579** – Burdeaux moved to refer to Legal Services to order licensee to have an expedited outpatient MPE. Results are to be reviewed by the investigative committee and the Legal/Discipline Nurse Consultant. If warranted, refer to Legal Services or Attorney General's office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Barton seconded the motion and it carried unanimously.

**RNI140089** – Hooper moved to close the case with a strong Letter of Concern re: Unprofessional Conduct related to impairment at work. Shilling seconded the motion and it carried unanimously.

**RNI140576** – Burdeaux moved to refer to Legal Services to order licensee to have an outpatient MPE. Results are to be reviewed by the investigative committee and the Legal/Discipline Nurse Consultant. If warranted, refer to Legal Services or Attorney General's office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Fletcher seconded the motion and it carried unanimously.

**RNI140607** – Hooper moved to refer to the Attorney General's office for a public reprimand to include courses in Professional Boundaries, Ethics, Professional Accountability and Nurse Practice Act and a fine of \$500 for unprofessional conduct and \$216.20 for investigative costs. Mann seconded the motion and it carried unanimously.

**RNI130542** – Fletcher moved to close the case. Shilling seconded the motion and it carried unanimously.

**RNI140294** – Hooper moved to close the case. Barton seconded the motion and it carried unanimously.

**RNI140270** – Fletcher moved to refer to Legal Services to order licensee to have an expedited outpatient MPE. Results are to be reviewed by the investigative committee and the Legal/Discipline Nurse Consultant. If warranted, refer to Legal Services or Attorney General's office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Burdeaux seconded the motion and it carried unanimously.

**RNI140610** – Hooper moved to refer to Legal Services to order licensee to have an expedited outpatient MPE and handserve. Results are to be reviewed by the investigative committee and the Legal/Discipline Nurse Consultant. If warranted, refer to Legal Services or Attorney General's office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Phipps seconded the motion and it carried unanimously.

**RNI140296** – Fletcher moved to close the case. Hooper seconded the motion and it carried unanimously.

**RNI140528** – Lockwood moved to refer to Legal Services to order licensee to have an expedited outpatient MPE. Results are to be reviewed by the investigative committee and the Legal/Discipline Nurse Consultant. If warranted, refer to Legal Services or Attorney General's office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Shilling seconded the motion and it carried unanimously.

**RNI130521** – Fletcher moved to close the case. Barton seconded the motion and it carried unanimously.

**RNI140108** – Lockwood moved to require respondent to provide documentation of criminal case within ten (10) days of adjudication. Mann seconded the motion and it carried unanimously.

**RNI140619** – Scott moved to refer to Legal Services to order licensee to have an outpatient MPE. Results are to be reviewed by the investigative committee and the Legal/Discipline Nurse Consultant. If warranted, refer to Legal Services or Attorney General's office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Barton seconded the motion and it carried unanimously.

**RNI140316** – Lockwood moved to refer to Legal Services for a mitigating letter to require the licensee to complete courses in Professional Conduct, Ethics, Professional Accountability, Documentation and Therapeutic Communication. If the courses are completed within thirty (30) days, close the case with a Letter of Concern. Phipps seconded the motion and it carried unanimously.

#### **ATTORNEY GENERAL'S OFFICE**

(LPNI = Licensed Practical Nurse Investigative Case Number) (RNI=Registered Nurse Investigative Case Number)

**RNI140180** – Barton moved to approve request for inactive status. Phipps seconded the motion and it carried unanimously.

**RNI100275** – Lockwood moved to close the case and accept reports documenting compliance. Barton seconded the motion and it carried unanimously.

**RNI120447** – Scott moved to close the case in the Attorney General's office and approve transfer to new GNA IP Group. Mann seconded the motion and it carried unanimously.

**RNI120622** – Hooper moved to close the case. Phipps seconded the motion and it carried unanimously.

Fletcher moved to refer open LPN cases to the Attorney General's office on the behalf of Georgia Board of Nursing. Hooper seconded the motion and it carried unanimously.

## EDUCATION REPORT

### NCLEX Report

The following programs have a pass rate of less than 80% for the period of January 1, 2014 through July 14, 2014. The results reflect first time test takers only.

Programs With NCLEX Pass Rate Below 80%		
Program Type	School	Pass Rate
RN	Atlanta Technical College	60.00%
RN	Augusta Technical College	68.75%
RN	Bauder College	61.11%
RN	Dalton State College	73.58%
RN	Darton State College	77.36%
RN	Georgia Northwestern Technical College	46.67%
RN	Shorter University	64.00%
RN	Valdosta State University	75.00%
LPN	Altamaha Technical College	68.75%
LPN	Atlanta Technical College	75.00%
LPN	Augusta Technical College	14.29%
LPN	Bauder College	66.67%
LPN	Central Georgia Technical College	66.67%
LPN	Southwest Georgia Technical College	66.67%

### Bauder College

Bauder College provided notice that it would be closing both its registered and practical nursing education programs effective December 2015. The college will provide the Board with the necessary information as required by Board Rule 410-4-.01.

### Brenau University

Brenau University has been on conditional approval related to NCLEX pass rates. The current pass rate for calendar year 2014 is 89%.

Phipps moved to clarify Board Rule 410-3-.03(7) for program and college administration. Hedenstrom seconded the motion and it carried unanimously.

### Southwest Georgia Technnical College

The Board received notification that Catina Hart Jones has been named the Director of the PN program effective July 1, 2014. Lockwood moved to accept the substantive change. Phipps seconded the motion and it carried unanimously.

### Georgia Piedmont Technical College

The Board received notification that Kaye Henry will become the PN Program Director at Georgia Piedmont Technical College effective July 17, 2014. Lockwood moved to accept the substantive change. Mann seconded the motion and it carried unanimously.

### Southeastern Technical College

The Board received notification that Beth Hendrix will become the PN Program Director at Southeastern Technical College effective July 14, 2014. Hedenstrom moved to accept the substantive change. Hooper seconded the motion and it carried unanimously.

### University of West Georgia

The Board received notification that Kathryn Grams is retiring as the Chief Academic Officer for Nursing at the University of West Georgia Tanner Health System School of Nursing effective July 1, 2014. Dr. Jennifer Schuessler has been appointed as the new

Dean and Professor and will begin her official duties on July 1, 2014. Scott moved to accept the substantive change. Mann seconded the motion and it carried unanimously.

### Georgia College and State University

The Board received notification that Dr. Debby MacMillan has been appointed the interim director of the School of Nursing at Georgia College and State University. Phipps moved to accept the substantive change. Barton seconded the motion and it carried unanimously.

### ANNUAL REPORTS

Rayburn noted that annual reports have indicated that some programs have reached capacity which appears to be directly related to faculty shortage. Several LPN programs noted that their clinical placements are being taken by RN programs. Some LPN programs are looking to other states to fill clinical placements.

### EXECUTIVE DIRECTOR'S REPORT

Cleghorn reported on the following administrative items:

- Status report on applications and complaints/compliance for May 2014 and June 2014
- PLB System Outages
- NURSYS/E-Notify Update
- ORBS (NCSBN Licensure Software/Database)
- NCSBN 2014 Annual Delegate Assembly
- Staff Update
- Board Vacancies
- Inactive Status
- 2015 Board Meeting Dates
- SOS Inquiry

### Lisa Durden – Director, Professional Licensing Boards Division

The Board welcomed Lisa Durden, Division Director of the Professional Licensing Boards Division. Rowe provided information regarding the nine additional positions (four complaint/compliance analysts, two legal/disciplinary nurse consultants and three investigators) allocated to the Georgia Board of Nursing as part of the implementation of House Bill 315 (mandatory reporting). Rowe discussed the July 7, 2014 correspondence from Secretary of State Brian Kemp. The Board expressed their gratitude for the additional positions and noted the legislative efforts that resulted in the additional funding. Rowe noted that House Bill 744 (FY2015 Budget Bill) recognized \$1,095,192 that was to be utilized to implement mandatory reporting and questioned why Secretary Kemp's correspondence detailed that \$611,207 were being spent to implement the program. Ms. Durden directed questions regarding the funding back to Secretary Kemp.

Rowe discussed the salaries for the Legal/Disciplinary Nurse Consultants. The positions were originally posted at \$55,000 annually but were reduced to \$45,000 annually. It was noted that new graduates were able to earn more than \$45,000 annually and that the salary was not realistic to recruit qualified nurses for that position.

Rowe stated that it was the Board's understanding that all of the funding identified in HB 744 was going to be utilized for the implementation of mandatory reporting. Durden stated that the Secretary of State's Office was required to consult with the Governor's Office of Planning and Budget (OPB) for position approval and that the approved positions were based on the recommendations from OPB. Durden stated that the salaries recommended by OPB were based on initial information provided by the Secretary of State's Office. Durden stated that she had discussed the issue with the SOS Budget Office and that the Secretary of State would have to go back OPB for any changes regarding the salaries. Rowe stated that the positions had been posted for approximately one month with very little interest from qualified applicants. She stated that if no qualified candidates were identified soon that the issue should be referred back to OPB for a salary increase.

Durden discussed with the Board how the budget for the Professional Licensing Boards had been cut by nearly \$600,000. She stated that the Secretary of State's Office was working to determine how to manage the budget cuts. She noted that individuals

must consider the fact that the Professional Licensing Boards serves forty boards and that budget decisions must be fair and equitable to all boards. Durden noted that, historically, retained revenue had been used for items that benefited all boards—not just one board. Durden stated that the main concern of the Secretary of State's Office was that the language in HB 315 required state funding in order for the law to become effective. She stated that the language in the FY2015 Budget Bill did not provide state funding but instead utilized retained revenue from the Secretary of State's budget. Durden expressed concern about the continued use of retained revenue to fund the positions for the Georgia Board of Nursing. She advised the Board to request the General Assembly to appropriate long term funding for the positions.

Rowe clarified that the Board of Nursing was not insensitive to the other boards supported by the Professional Licensing Boards Division; however, the language in the 2015 Budget Bill allocated the money to implement mandatory reporting by the Georgia Board of Nursing—not the other boards. Rowe noted that it would be difficult for the Board to explain to the legislature why \$1,095,192 was identified in the budget for mandatory reporting but only \$611,207 was spent to implement the program. Debbie Hackman, Chief Executive Officer of the Georgia Nurses Association (GNA) reiterated that GNA was quite clear that the budget was prescriptive that the funding was to be used for mandatory reporting by the Georgia Board of Nursing. Hackman questioned Durden if there were really issues regarding OPB's recommendation or if the Secretary of State's Office was concerned that the funding would not be available for future fiscal years. Durden responded by explaining that the money identified in the FY2015 Budget Bill was collected by all forty boards—not just the Georgia Board of Nursing. Rowe noted that the Georgia Board of Nursing was a major contributor to the Secretary of State's budget.

The Board discussed the recent and persistent system outages at the Professional Licensing Boards Division. It was noted that the system was unavailable for over thirty-three percent of the time between March and June 2014. The Board apologized to all constituents impacted by the outages and noted that the outages were beyond the control of the Board as all technological support comes from the Secretary of State's Office. Rowe noted continued difficulties in the PLB mailroom and call center. While the Board does not currently have any direct control over the technological systems, mailroom or call center, the Board must address the problems.

Rowe explained that the Board went to the General Assembly with its stakeholders to seek the necessary funding for implementation of mandatory reporting. Additional questions were presented to Durden regarding the difference in the allocation versus the amount of money actually spent to implement mandatory reporting. Durden stated that all questions regarding funding should be submitted in writing to Secretary Kemp.

Durden addressed the system outages and stated that the problems had been crippling to the Professional Licensing Boards Division. She noted that staff members were still trying to recover from the issues. Durden provided information regarding upcoming IT initiatives. She noted that some of the network servers were older and that IT staff were working to move data to newer servers. She explained that SOS IT staff were working to develop a new network system for the Professional Licensing Boards Division and that they were looking to tap into the fiber optic network provided by the City of Macon. Durden explained that SOS IT staff members were reaching out to the system vendor to ensure that all servers were configured correctly to obtain optimal performance. She stressed the importance of a newer and more stable network. Rowe questioned whether or not the Secretary of State's Office would be utilizing the \$3,000,000 bond made available by the General Assembly during the 2014 session. Durden explained that she understood the bond was to be utilized for a new licensure database and that the Secretary of State's Office was not yet ready to engage a new vendor to purchase a new database system.

Durden provided information regarding the delays in the mailroom and noted that, prior to the last system outage, that information was being distributed to board offices within five business days. She provided information regarding the new Director of Intake and expressed that she felt like they were making great strides towards improvement. Durden provided information regarding a new call center platform that will be implemented by the end of 2014. She noted that the abandonment rate in the call center was approximately fifty-two percent with an average wait time of fourteen minutes. She provided information regarding the high turnover in call center staff and stated that additional staff was being hired for the call center. She expressed optimism that the new platform would offer more features to callers.

Rowe expressed appreciation for all that is being done with limited resources. Board members again requested that the Professional Licensing Boards Division make provision for dedicated call center agents to be assigned to the Board of Nursing. Rowe noted that she continues to hear from interested parties regarding erroneous information obtained from call center agents and that the Board believed that a nursing specific call center would be able to provide much better service. Rowe asked if there was a report that could detail the number of calls received for nursing. Durden did not believe that was currently possible. Rowe questioned how many staff members were assigned to the call center. Durden stated that it was between fourteen and sixteen full and part time staff members.

Hackman noted that the Professional Licensing Boards Division budget cuts were as a result of the departure of the Georgia Board of Pharmacy and the Georgia Board of Dentistry. Durden stated that two positions had been transferred to the Board of Nursing after the departure of the two health care boards. Hackman stated that the \$3,000,000 was to be utilized for all technology improvements so the Secretary of State's Office would not have to rely on retained revenue funds. She repeated that the retained revenue identified in the FY2015 Budget Bill was to be utilized for the implementation of mandatory reporting.

Dr. Rebecca Wheeler (Georgia Nursing Leadership Coalition) provided information regarding grants being lost because the nursing workforce survey results from the 2013 and 2014 renewal periods had not been released. She explained that incomplete data was provided in December 2013. Cleghorn provided information on the Nursys contract and explained how that it was necessary before the Board could provide the survey results. It was noted that the Nursys contract had been signed in May 2012 and that the Board had been working with the Secretary of State's Office for over two years to have the system implemented. It was noted that \$27,000 had been appropriated by the General Assembly in the 2012 session to implement the renewal survey but that no results had been produced. Cleghorn provided information from the Secretary of State's Office that explained that the project had been named a top priority for the agency's IT staff. Wheeler explained the importance of the information within the state and nationally and noted that stakeholders had been waiting on the information for over a year.

Lockwood asked Durden how long the Secretary of State's Office had contracted with System Automation (licensure software vendor). Durden stated that the agency had used System Automation products since 2002.

Barton asked Durden to provide information regarding the collection of secure and verifiable documents and affidavits of citizenship. This topic was previously discussed at the March 2014 meeting. Durden explained that letters had been sent to all licensees instructing them to submit the required documentation. She noted that staff members were researching mail returned for incorrect addresses and the letters were being resent if updated contact information could be obtained. Durden explained that the process would begin for licensed practical nurses in Fall 2014. She explained that the Secretary of State's Office was making every effort to contact all licensees who needed to submit citizenship documentation. Rowe inquired whether or not there was any way to provide confirmation to licensees that the documents had been received and processed. Durden explained that there was no mechanism currently available to provide that service to licensees. Rowe noted the number of visitors to the Board's website and stated that she believed licensees wanted and tried to do the right thing but that they needed accurate information to complete the process. Wheeler reiterated that licensees are frequently provided incorrect information by call center agents at the Professional Licensing Boards Division.

The Board discussed when the 2015 renewal period would open. Cleghorn stated that the renewal period was scheduled to begin on September 15. Durden stated that the renewal period would begin as early as possible.

The Board revisited the topic of the licensure software vendor. Scott stated that it did not appear that the vendor was meeting the needs of the constituency. She stated that she was distressed to hear that the Secretary of State's Office is "hoping that things are going to improve." She questioned what performance based plans had been implemented with the vendor and questioned whether or not the Secretary of State's Office was seeking other service providers. Durden noted that the agency was researching a new model where the current vendor would be directly responsible for all support. Durden explained that a new vendor and system would require a state contract bidding process. Scott inquired whether or not the bidding process had begun. Durden stated that the agency's IT staff were on the phone on a daily basis with the vendor regarding system crises. Scott expressed extreme concern that the system's state allowed for daily crises and noted that constituents would continue to feel the impact of the problems as long as the agency put off a resolution to the issues.

Phipps noted that constituents are receiving poor service in many areas: call center, mailroom, information technology. She expressed concerns that the Board of Nursing had become too large for the Professional Licensing Boards Division to provide effective support.

Wheeler noted that the issues were impacting the profession on a national level. She provided information about the possibility of lost grants from the Robert Wood Johnson Foundation, National Council of State Boards of Nursing and AARP. Durden noted that the Secretary of State's Office had undergone repeated budget cuts while other agencies had grown. She explained that the forty boards supported by the Division generated over \$25,000,000 while only \$7,000,000 was returned. Durden reiterated that the agency was trying to provide support to all professions and improve services for all constituents.

**BOARD COMMITTEES**

Cleghorn provided information regarding the use of investigative committees to review complaint and investigative files. He explained that he had contacted staff from the Arizona Board of Nursing, the North Carolina Board of Nursing and Missouri Board of Nursing to seek ideas regarding best practices. Cleghorn proposed two investigative committees that would meet on a monthly basis. Each committee would be comprised of three members.

Scott move to pursue investigative committee structure. Barton seconded the motion and it carried unanimously.

Cleghorn proposed the following structure for the Education Committee:

<b>Education Committee</b>	
Comprised of twelve (12) members. Led by Nursing Education Consultant and Executive Director with a board member liaison.	
Seat 1	Representing LPN Education Programs
Seat 2	Representing LPN Education Programs
Seat 3	Representing LPN Education Programs
Seat 4	Representing AD Education Programs
Seat 5	Representing AD Education Programs
Seat 6	Representing BS Education Programs
Seat 7	Representing BS Education Programs
Seat 8	Representing MS Education Programs
Seat 9	Open Education Seat
Seat 10	Representing Private Education Programs
Seat 11	Representing Public Education Programs
Seat 12	Representing Proprietary Education Programs
Proposed Committee Charges: 1) Review existing education rules make recommendations for necessary updates 2) Review language to change site visit schedule and board approval dates to align with national nursing accreditation visits 3) Review language to require national nursing accreditation for all nursing education programs by a date certain 4) Review language to require SACS accreditation for any developing nursing education program 5) Review NCSBN resources for innovative nursing education and make recommendations for implementation of accepted practices	

Nominations for the Education Committee will be solicited through the Board's website and *The Georgian Nurse*. Qualified candidates will be presented to the Board for approval.

Cleghorn proposed the following structure for the Advanced Practice Committee:

<b>Advanced Practice Committee</b>	
Comprised of twelve (12) members. Led by Nursing Practice Consultant and Executive Director with a board member liaison.	
Seat 1	Representing Certified Nurse Midwives
Seat 2	Representing Certified Nurse Midwives
Seat 3	Representing Certified Nurse Midwives
Seat 4	Representing Nurse Practitioners

Seat 5	Representing Nurse Practitioners
Seat 6	Representing Nurse Practitioners
Seat 7	Representing Certified Registered Nurse Anesthetists
Seat 8	Representing Certified Registered Nurse Anesthetists
Seat 9	Representing Certified Registered Nurse Anesthetists
Seat 10	Representing Clinical Nurse Specialists
Seat 11	Representing Clinical Nurse Specialists
Seat 12	Representing Clinical Nurse Specialists
Committee Charges:	
<ol style="list-style-type: none"> <li>1) Be available for peer review of cases</li> <li>2) Review existing practice rules and make recommendations</li> </ol>	

Nominations for the Advanced Practice Committee will be solicited through the Board's website and *The Georgian Nurse*. Qualified candidates will be presented to the Board for approval.

### **PROPOSED RULES FOR MANDATORY REPORTING**

The Board reviewed the proposed language for mandatory reporting. The Board and representatives from the Georgia Nurses Association and the Georgia Hospital Association held extensive dialogue regarding the proposed language. The Board considered suggestions regarding the reporting of minor incidents. Updated language will be presented to the Board at the September 2014 meeting.

### **APRN SCOPE OF PRACTICE**

The Board discussed recent issues regarding the scope of practice of advanced practice registered nurses. Specifically, the Board considered how upcoming changes with national certifying bodies would impact the APRN scope of practice. After extensive discussion, the Board continues to support the existing Board rules which rely on the Board approved national certifying bodies to provide guidance for the scope of practice for APRNs.

There being no further business, the meeting adjourned Thursday, July 17, 2014 at 5:30 p.m.

FRIDAY, JULY 18, 2014

MEMBERS PRESENT

Brenda Rowe, RN, MN, JD, President  
Kellie Lockwood, RN, MSN, Vice President  
Nancy Barton, RN, MSN  
Tammy Burdeaux, RN, BSN, CRNI  
Tina Fletcher, LPN  
Amy Hooper, LPN  
Katherine Mann, RN, CRNA  
Andrea Phipps, LPN  
Rhonda Scott, PhD, RN, CS  
Dellarie Shilling, RN, DNP, FNP-BC

MEMBERS ABSENT

Ashley Barnett, Consumer  
Lisa Hedenstrom, RN, MSN, MBA, NEA-BC

STAFF PRESENT

James Cleghorn, Executive Director  
Amelia Baker, JD, Assistant Attorney General

Rowe called the meeting to order at 8:30 a.m. on Friday, July 18, 2014. A quorum to conduct disciplinary matters was present.

STRATEGIC PLAN UPDATE

<b>Objective 2</b>		
To support and monitor the integration of the Georgia Board of Nursing and the Georgia Board of Examiners of Licensed Practical Nurses.		
<b>Action Step</b>	<b>Person(s)</b>	<b>Date</b>
1) Identify issues 2) Review RN and LPN Scope of Practice a) Develop document with scope of practice for RNs and LPNs listed side by side b) Identify and clarify any issues 3) Make documents consistent and clear a) Website b) Applications c) Consent Agreements/Orders 4) Identify differences in disciplinary processes a) Consent Agreements/Orders b) Private versus Public c) Fine structure	Amy Hooper Tammy Burdeaux Andrea Phipps	First update July 2014 meeting. Continued agenda item for next 12 months

Burdeaux stated that the board members assigned to this objective had reviewed the practice acts but needed additional guidance from the Board regarding what additional steps were needed. Going forward, the members will examine application fees and work to standardize application fees using the current fees for registered nurses. Additionally, application forms will be standardized.

Burdeaux moved to standardize application fees. Hooper seconded the motion and it carried unanimously.

## Objective 4

To review and revise the disciplinary processes of the Board.

Action Step	Person(s)	Date
1) Review current disciplinary processes 2) Identify areas for improvement 3) Consider new strategies a) Use of investigative committee comprised of board members b) Create criteria for "low risk" cases i) First offense ii) No patient harm iii) Evidence of remediation c) Delegate authority to Executive Director d) Develop substance abuse policies i) Public versus private ii) Use of suboxone e) Develop a documented case management system	Kellie Lockwood Nancy Barton Kathy Mann	First update September 2014 meeting

Barton stated that the members had reviewed the discipline guidelines documents provided by Lockwood. Cleghorn will provide additional policies and guidelines from the North Carolina Board of Nursing for consideration. Barton stated that members were still researching information regarding the use of suboxone by licensees and noted the need for a Board policy on this issue. Cleghorn presented information regarding a change in the model consent order to require probation/monitoring for five years instead of four. He provided supporting information from the Substance Use Disorder in Nursing Manual published by the National Council of State Boards of Nursing as well as the Journal of Nursing Regulation. Cleghorn also proposed that the Board include language in the model order that requires respondents to meet with compliance staff members to review the order.

Mann moved to change standard probation period to five (5) years based on supporting information provided by the Executive Director and notify the Georgia Nurses Association and the Georgia Hospital Association of the change. Scott seconded the motion and it carried unanimously.

### NCSBN DELEGATE ASSEMBLY

The Board reviewed information for the upcoming NCSBN Delegate Assembly.

### BOARD POLICIES

The Board reviewed all policies. Updated language will be presented at the September 2014 meeting.

### BOARD RULES

The Board reviewed language for proposed rules and discussed changes. Updated language will be presented at the September 2014 meeting.

### BUDGET DISCUSSION

The Board discussed possible responses to the July 7, 2014 correspondence from Secretary Kemp. The Board wants to directly engage the Office of Planning and Budget and will request a meeting with a representative from the agency. If possible, the meeting will be scheduled in conjunction with the September board meeting. The Board will provide a copy of all correspondence to the Deputy Secretary of State, PLB Division Director and the Board's Executive Director.

The Board discussed the possibility of seeking a legislative change to make the Board a budget unit or an administratively attached agency. Additional research will be conducted and information will be provided at the September 2014 meeting.

## APPROVAL OF BOARD MINUTES

Burdeaux moved to accept the May 14-16, 2014 board meeting minutes as presented. Barton seconded the motion and it carried with Shilling and Scott abstaining.

Hooper moved to accept the June 11, 2014 board meeting minutes as presented. Phipps seconded the motion and it carried with Shilling and Scott abstaining.

Barton moved to accept the June 17, 2014 board meeting minutes as presented. Mann seconded the motion and it carried with Shilling abstaining.

Hooper moved to accept the June 27, 2014 board meeting minutes as presented. Lockwood seconded the motion and it carried with Shilling and Scott abstaining.

## APPLICATION REVIEWS AND APPROVAL OF LICENSURE

Hooper moved, Barton seconded and the Board voted to approve applications for licensure and advanced practice authorization for the months of May 2014 through June 2014 that were determined, pursuant to Board approved guidelines, to have met licensure/authorization requirements.

## EXECUTIVE SESSION

Hooper moved, Barton seconded and the Board voted to enter into Executive Session in accordance with O.C.G.A. §§ 43-1-2(k); 43-1-19(h), 43-26-5(c) and 43-26-11, to deliberate on applications and enforcement matters and to receive information on applications, investigative reports and pending cases. The motion passed unanimously.

At the conclusion of the Executive Session on Friday, July 18, 2014, Rowe 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 BOARD MINUTES

Burdeaux moved to accept the May 14-16, 2014 Executive Session board meeting minutes as presented. Barton seconded the motion and it carried with Shilling and Scott abstaining.

Hooper moved to accept the June 11, 2014 Executive Session board meeting minutes as presented. Phipps seconded the motion and it carried with Shilling and Scott abstaining.

Barton moved to accept the June 17, 2014 Executive Session board meeting minutes as presented. Mann seconded the motion and it carried with Shilling abstaining.

Hooper moved to accept the June 27, 2014 Executive Session board meeting minutes as presented. Lockwood seconded the motion and it carried with Shilling and Scott abstaining.

## OTHER BUSINESS

Scott discussed the importance of the leadership role of the President of the Board. She noted that currently, it would be possible for a licensed practical nurse to be elected as President of the Board. She requested that the Board consider promulgating a rule that would restrict the presidency to registered nurses. She explained that the Board was a practice board. She noted that registered nurses supervise licensed practical nurses and expressed that the leadership role should be limited to a registered nurse to ensure credibility to the public and other stakeholders. Lockwood, Hooper and Phipps stated that they would not support such a rule. It was noted that the president does not act independently and only expresses the opinion of the full board. The Board's attorney provided information that there was no statutory authority for such a rule.

There being no further business, the meeting adjourned Friday, July 18, 2014 at 1:27 p.m.

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Brenda Rowe, *President*

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James D. Cleghorn, *Executive Director*

Approved on