

The Investigative Committee of the Georgia Board of Nursing met Thursday, October 25, 2018 via conference call at the Professional Licensing Boards Division of the Secretary of State located at 237 Coliseum Drive, Macon, Georgia 31217.

## **THURSDAY, OCTOBER 25, 2018**

### **MEMBERS PRESENT**

Amy Hooper, LPN, Vice President  
K. Andrea Phipps, LPN  
Linda Floyd, RN, EdD, PMHNP-BC  
Tammy Bryant, RN, MSN

### **MEMBERS ABSENT**

Merry Fort, RN

### **STAFF PRESENT**

Jim Cleghorn, Executive Director  
Janet Freeman, RN, BSN, Nursing Consultant – Legal/Discipline  
Edye Tillman-Johnson, RN, BSN, Nursing Consultant – Legal/Discipline  
Tara Miller Nursing, RN, BSN, Nursing Consultant – Legal/Discipline  
Kirsten Dugdril, JD, Assistant Attorney General  
Betsy Cohen, JD, Assistant Attorney General

Hooper called the meeting to order at 4:00 p.m. on Thursday, October 25, 2018.

### **EXECUTIVE SESSION**

Phipps moved, Bryant seconded and the Committee 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, October 25, 2018, Hooper 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.

### **INVESTIGATIVE COMMITTEE CASES**

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

Hooper moved to present the following recommendations to the Board.

**LPNI190030** – Send a letter requesting courses in Professional Accountability and Legal Liability for Nurses, Professional Boundaries in Nursing and Effective Communication with Patients.

**LPNI190064** – Close the case with no disciplinary action.

**RNI190078** – Close the case with no disciplinary action. Bryant abstaining.

**RNI171085** – Refer for a peer review.

**RNI190260** – Refer to the Attorney General’s Office for a private consent order to include a fine of \$500 for falsification of renewal application.

**RNI181047/ RNI170692** - Refer to Attorney General’s Office for a three (3) month suspension, may petition to lift with an outpatient mental physical examination from a Board approved evaluator and a fine of \$500 for continuing education violation. Results are to be reviewed by the Investigative Committee and the Legal/Discipline Nurse Consultant.

**RNI190330** – Refer to Attorney General's Office for a three (3) month suspension, may petition to lift with an outpatient mental physical examination from a Board approved evaluator and a fine of \$500 for continuing education violation. Results are to be reviewed by the Investigative Committee and the Legal/Discipline Nurse Consultant.

**RNI170693** – Close the case with no disciplinary action.

**RNI190300** – Issue license by endorsement with a Letter of Concern (Action in Another Jurisdiction).

**LPNI180168** – Close the case with no disciplinary action.

**LPNI190052** – Refer to Investigations.

**RNI181438** – Rescind previous motion of voluntary surrender or indefinite suspension. Refer to the Attorney General's Office for a public reprimand to include five (5) years probation, two (2) years narcotic restriction, quarterly reports (self, employer, aftercare), substance abuse stipulations, quarterly hair follicle testing for twenty-four (24) months, quarterly drug screens throughout the order, standard work restrictions, courses in Understanding Substance Use Disorder in Nursing and Disciplinary Actions: What Every Nurse Should Know.

**LPNI190066** – Refer to the Attorney General's Office for a private consent order to include a fine of \$500 for falsification of renewal application.

**RNI160195** – Refer to the Attorney General's Office for a voluntary surrender or indefinite suspension. May petition to lift with a payment of \$500.

**LPNI180260** – Send an investigative letter requesting courses in Understanding Substance Use Disorder in Nursing and Professional Accountability and Legal Liability for Nurses.

**RNI190184** – Refer to the Attorney General's Office for reinstatement of license with a public consent agreement to include five (5) years probation, four (4) years narcotic restriction, quarterly reports (self, employer, aftercare, psychotherapy, medication management), substance abuse stipulations, standard work restrictions, quarterly hair follicle testing for twenty-four (24) months, quarterly urine drug screens throughout the order, courses in Understanding Substance Use Disorder in Nursing and Disciplinary Actions: What Every Nurse Should Know. Must have one (1) year without narcotic restrictions to petition to lift probation.

**RNI150050** – Deny the petition to lift suspension until able to provide eighteen (18) months of documented sobriety as evidenced by monthly urine drug screens which must include testing for alcohol.

**RNI160861/ RNI180176/ RNI180662** – Refer to the Attorney General's Office for reinstatement of license with a public consent agreement to include five (5) years probation, two (2) years narcotic restrictions, quarterly reports (self, employer, aftercare, psychotherapy), quarterly hair follicle tests for twenty-four (24) months, bimonthly urine drug screens throughout the order, substance abuse stipulations, standard work restrictions plus no more than 40 hours per week, and courses in Understanding Substance Use Disorder in Nursing and Disciplinary Actions: What Every Nurse Should Know. Bryant abstaining.

**RNI190308** – Refer to staff for mental physical examination for consideration of licensure.

**RNI190309** – License by endorsement and authorize as APRN.

**RNI170469** – Refer to the Attorney General's Office for a public reprimand to include three (3) years probation, two (2) years narcotic restrictions, quarterly reports (self, employer, psychotherapy-credentialed in addiction medicine). Substance Abuse Stipulations, bimonthly urine drug screens, standard work restrictions, courses in Understanding Substance Use Disorder in Nursing and Professional Accountability and Legal Liability for Nurses.

**RNI190310** – Issue the license with a Letter of Concern (Criminal). Must submit proof of completion of criminal probation.

**LPNI180230** – Obtain a peer review and address information from letter of explanation.

**LPNI180246** – Refer to Investigations and then refer to the Attorney General's Office for a revocation.

**RNI170814** – Refer to the full board.

**RNI190282** – Refer to the Attorney General's Office for an outpatient mental physical examination. If not compliant, refer for a voluntary surrender or indefinite suspension and deny the renewal. May petition to lift with submission of MPE.

**LPNI180297** – Send a letter requesting courses in Narcotic Drugs: Handling and Documentation and Professional Accountability and Legal Liability for Nurses.

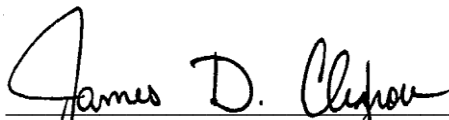
**RNI190129** - Refer to Attorney General's Office for a public reprimand to include five (5) years probation, two (2) years narcotic restriction, quarterly reports (self, employer, aftercare, psychotherapy) Substance Abuse Stipulations, quarterly hair tests for twenty-four (24) months, quarterly urine drug screens throughout the order, standard work restrictions plus no night shifts and courses in Understanding Substance Use Disorder in Nursing and Disciplinary Actions: What Every Nurse Should Know. If no documentation of CEs, a fine of \$500 for CE violation.

**RNI180967** – Refer to the Attorney General's Office for a voluntary surrender or indefinite suspension. May petition to lift with an outpatient mental physical examination from a Board approved evaluator for consideration of licensure. Results are to be reviewed by the Investigative Committee and the Legal/Discipline Nurse Consultant.

**RNI190320** – Refer falsification of LPN renewal to the Attorney General's Office for a fine of \$500 for Falsification of LPN renewal. Send a letter requesting an outpatient mental physical examination from a Board approved evaluator for consideration of licensure. Results are to be reviewed by the Investigative Committee and the Legal/Discipline Nurse Consultant.

Floyd seconded the motion and it carried unanimously.

There being no further business, the meeting adjourned Thursday, October 25, 2018 at 4:46 p.m.

  
James D. Cleghorn, **Executive Director**

STATE OF GEORGIA

COUNTY OF BIBB

**AFFIDAVIT SUPPORTING CLOSING OF  
PUBLIC MEETING**

The Georgia Open Meetings Act, O.C.G.A. § 50-14-1 *et seq.*, requires that all meetings of an entity covered by the statute must be open to the public unless there is some specific statutory exception which permits the closing of the meeting. If such a meeting is to be closed, the law requires that the presiding person execute a sworn affidavit stating that the subject matter of the meeting or the closed portion thereof was devoted to matters within the statutory exceptions and identifying those specific exceptions relied upon. O.C.G.A. §50-14-4(b). A copy of this affidavit must be filed with the minutes of the meeting in question.

**Comes now the presiding officer identified below and, before an official duly authorized to administer oaths, makes this affidavit in satisfaction of the statutory requirements outlined above.**

1. I am the presiding officer of the RN Board.
2. I am over the age of 18 and in all other aspects competent to make this sworn statement. I acknowledge that I am giving this statement under oath and penalty of perjury and that I have read the contents of this affidavit prior to signing it.
3. On October 25, 2018 this entity, which is subject to the Open Meetings Act, met. A majority of the quorum of the members present voted to close the meeting or a portion thereof for the following indicated reason(s). I hereby certify that during the closed portion of the meeting, only those subjects indicated below were discussed. I also certify that I have reviewed the exceptions provided under the Open Meetings Act that may permit the closing of a meeting and that, to the best of my knowledge, the reasons I have described in detail below meet the requirements for closing this public meeting.
4. The legal authority for the closure of this meeting was:  
O.C.G.A. 43-1-2(k) and 43-1-19(h)
5. The subject(s) discussed and the underlying facts supporting the closing of this meeting are:  
To deliberate applications and enforcement matters and to receive information on applications and investigative reports.

FURTHER THE AFFIANT SAYETH NOT

  
Presiding Officer

Sworn and subscribed before me  
This 25th day of October 2018

  
Notary Public

