

The Georgia Board of Nursing met April 13, 2017 via telephone conference from the Professional Licensing Boards Division of the Georgia Secretary of State, located at 237 Coliseum Drive, Macon, Georgia 31217.

THURSDAY, APRIL 13, 2017

MEMBERS PRESENT

Janice Izlar, RN, CRNA, DNAP, President
Merry Fort, RN
Julia Worthy, RN, MSN
Blair Train, Consumer Member
Linda Floyd, RN, EdD, PMHNP-BC
Amy Hooper, LPN, Vice President
Dellarie Shilling, RN, MSN, FNP-B
Brenda Rowe, RN, MN, JD, Immediate Past President
Nancy Barton, RN, MSN
Tracey Blalock, RN, MSN, MBA, NEA-BC

MEMBERS ABSENT

Kellie R. Lockwood, RN, MSN, Immediate Past Vice President
Andrea Phipps, LPN
Fredetena (Tina) Fletcher, LPN

STAFF PRESENT

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

Izlar called the meeting to order at 4:00 p.m. on Thursday, April 13, 2017. A quorum to conduct disciplinary matters was determined to exist.

EXECUTIVE SESSION

Hooper moved, Worthy 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 cases and pending cases. The motion passed unanimously.

At the conclusion of the Executive Session on Thursday, April 13, 2017, Izlar 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.

CASE REVIEW (Legal and Discipline cases)

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

RNI170432 – Barton moved to **refer to the Attorney General’s Office for a public consent order to include five (5) years** probation, two (2) years narcotic restriction, quarterly reports (self, employer, aftercare, psychotherapy, medication management), substance abuse stipulations and a course in Understanding Substance Use Disorder in Nursing. Blalock seconded the motion and it carried unanimously.

LPNI160217 – Train moved to **refer to the Attorney General’s Office for a public reprimand to include a fine of \$500 for Action in Another Jurisdiction and a fine of \$500 for Continuing Education Violation.** Worthy seconded the motion and it carried unanimously.

RNI170775 – Shilling moved to proceed with licensure by endorsement. Fort seconded the motion and it carried unanimously.

LPNI160213 – Hooper moved to send a mitigating letter requesting courses in Professional Accountability and Legal Liability for Nurses; Ethics of Nursing Practice and Professional Boundaries of Nursing. Barton seconded the motion and it carried with Rowe opposing.

RNI160972 – Shilling moved to write the respondent a mitigating letter to include courses in Medication Errors: Detection and Prevention; Professional Accountability and Legal Liability for Nurses and Documentation: A Critical Aspect of Client Care. Refer to **the Attorney General's Office** for a private reprimand to include a fine of \$500 for continuing education violation. Fort seconded the motion and it carried unanimously.

RNI151235 – Blalock moved to close the case. Rowe seconded the motion and it carried unanimously.

RNI160940 – Floyd moved to **refer to the Attorney General's Office for an** expedited outpatient mental physical examination from a Board approved evaluator. Results are to be reviewed by the Investigative Committee and the Legal/Discipline Nurse Consultant. Train seconded the motion and it carried unanimously.

RNI170778 – Hooper moved to license by reinstatement with a Letter of Concern (Criminal). Shilling seconded the motion and it carried unanimously.

LPNI170321 – Floyd moved to **refer to the Attorney General's Office for an outpatient mental physical examination** from a Board approved evaluator. Results are to be reviewed by the Investigative Committee and the Legal/Discipline Nurse Consultant. Hooper seconded the motion and it carried unanimously.

LPNI170228 – Barton moved to refer for a peer review. **Refer to the Attorney General's Office for a private reprimand to** include a fine of \$500 for Unprofessional Conduct and courses in Professional Accountability and Legal Liability for Nurses and Sharpening Critical Thinking Skills. Blalock seconded the motion and it carried unanimously.

LPNI170320 – Barton moved to close the case. Blalock seconded the motion and it carried unanimously.

RNI151164 – Barton moved to **refer to the Attorney General's Office for a voluntary surrender or indefinite** suspension. May petition for lifting with completion of mental physical examination within 30 days of petition. Results are to be reviewed by the Investigative Committee and the Legal/Discipline Nurse Consultant. Hooper seconded the motion and it carried unanimously.

RNI170589 – Rowe moved to proceed with licensure by examination to include a Letter of Concern (Alcohol). Train seconded the motion and it carried unanimously.

ATTORNEY GENERAL'S OFFICE

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

LPNI150230 – Shilling moved to accept the consent order as presented. Worthy seconded the motion and it carried unanimously.

LPNI150469 – Hooper moved to refer for an Investigative Interview. Worthy seconded the motion and it carried unanimously.

RNI160313 – Rowe moved to uphold the previous motion from November 3, 2016. Barton seconded the motion and it carried unanimously.

LPNI170077 – Blalock moved to rescind the previous motion from December 08, 2016. Worthy seconded the motion and it carried unanimously.

RNI140008 – Shilling moved to rescind the previous motion and lift the suspension. Barton seconded the motion and it carried unanimously.

RNI170336 – Hooper moved to rescind the previous motion from February 16, 2017 and close the case with a Letter of Concern (HIPPA Violation). Floyd seconded the motion and it carried unanimously.

RNI160358 – Barton moved to accept the inactive request. Rowe seconded the motion and it carried unanimously.

RNI130399/RNI170715 – Train moved to accept the consent order as presented. Hooper seconded the motion and it carried unanimously.

RNI150941– Rowe moved to rescind the previous motion from July 20-22, 2017. Blalock seconded the motion and it carried unanimously.

RNI150543/RNI160374 – Barton moved to rescind the previous motion from March 10, 2017 and to refer to the Attorney General's Office for an expedited outpatient mental physical examination. Results are to be reviewed by the Investigative Committee and the Legal/Discipline Nurse Consultant. Hooper seconded the motion and it carried unanimously.

RNI170510 – Train moved to rescind the previous motion from February 16, 2017. Close the case upon receipt of documentation that licensee has corrected CE Broker upload to 2015-2017. Worthy seconded the motion and it carried unanimously.

RNI160651 – Worthy moved to amend the following terms of the consent order: Continuing Education Provisions – if licensee is in compliance, remove the CE language from the order. Abstention from alcohol/controlled substances – if evaluating physician revises recommendation, the Board will remove language from the order. Employer Reports - uphold previous. Psychotherapy reports – if evaluating physician revises recommendation, the Board will remove the language from the order. Length of probation – Uphold previous motion. Board will accept public reprimand for alcohol a fine of \$500 for Unprofessional Conduct in lieu of proposed order. Hooper seconded the motion and it carried unanimously.

RNI140263 – Train moved to rescind the previous motion from November 18, 2016 and refer to the Attorney General's Office for a voluntary surrender or an indefinite suspension. Fort seconded the motion with Barton abstaining.

VIOLATION OF CONSENT ORDER/AGREEMENT

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

Shilling moved to accept the following recommendation: Voluntary Suspension/Indefinite Suspension until respondent comes into compliance with consent order:

RN189434	RNI140353	RNI150996	RN189246	RN201380	RN132204
RNI160945	LPN093662				

Barton seconded the motion and it carried unanimously.

PRIVATE CONSENT AGREEMENTS FOR FAILURE TO DISCLOSE

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

RNI170746	RN170753	RN170784	RN170788	LPN170305	LPN170342
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Hooper seconded the motion and it carried unanimously.

INVESTIGATIVE COMMITTEE A 04/052017

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

Rowe moved to ratify the following cases from the investigative committee meeting:

RNI130472	RNI160191	RNI170759	RNI160286	RNI080677	RNI140574
RNI161199	LPNI120055	RNI170438	RNI151176	RNI170269	RNI161224
LPNI170170	RNI170755	RNI160895	LPNI170267	RNI170660	RNI170771

Barton seconded the motion and it carried unanimously.

INVESTIGATIVE COMMITTEE B 01/26/2017

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

Floyd moved to ratify the following cases from the investigative committee meeting:

RNI170078	RNI170171	RNI161203	RNI170495	RNI170699	RNI150232
LPNI170156	RNI170665	RNI150650	RNI150367	RNI160794	LPNI170009
RNI160899	LPNI160393	RNI160931	LPNI160070	LPNI160386	LPNI160228
LPNI160125	LPNI170258	LPNI150314	RNI170044	RNI130647	RNI140267
RNI151316	RNI100056	RNI090345	LPNI160212		

Hooper seconded the motion and it carried unanimously.

ORDER TERMINATIONS BETWEEN MEETINGS

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

Shilling moved to accept the following terminations of probation between meetings:

RN123133	RNI120744	RNI090458	LPN092316	RNI130009	RN216962
RN159702	RN193779	LPN085028	RN185664		

Rowe seconded the motion and it carried unanimously.

REQUEST TO CHANGE AFTERCARE GROUPS

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

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

	RECOMMENDED ACTION
RN159525	Change aftercare group
RN085205	Change aftercare group
RN081806	Change aftercare group

Worthy seconded the motion and it carried unanimously.

REQUEST TO LIFT NARCOTIC RESTRICTIONS

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

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

	RECOMMENDED ACTION
RNI161054	Lift narcotics restriction
RN143352	Lift narcotics restriction

Barton seconded the motion and it carried unanimously.

PRIVATE CONSENT AGREEMENTS FOR UNLICENSED AND UNAUTHORIZED PRACTICE

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

Hooper moved to ratify the Private Consent Agreements for unlicensed/unauthorized practice that were issued according to **the Board's policies.**

RNI170747	RNI170763	RNI170764	RNI170765	RNI170776	RNI170799
RNI170804	RNI170808				

Rowe seconded the motion and it carried unanimously.

CORRESPONDENCE

The Board reviewed correspondence from Deborah Flowers and directed staff to refer Ms. Flowers to the scope of practice decision tree and the SANE certifying body.

RULES – 410-13

Barton moved to post Board Rules 410-13.

410-13-.01 – Continuing Competency Requirements for Registered Nurses

(1) Applicants for licensure renewal must satisfy one of the following continuing competency requirements during the biennial renewal period:

(a) Completion of thirty (30) continuing education hours by a Board approved provider;

(b) Maintenance of certification or recertification by a national certifying body recognized by the Board;

(c) Completion of an accredited academic program of study in nursing or a related field as recognized by the Board;

(d) Verification of competency by a health care facility or entity licensed under O.C.G.A. § 31-7 or by a physician's office that is part of a health system and at least 500 hours practiced as evidenced by employer certification on a form approved by the board; or

(e) Other activities as prescribed and approved by the board that show competency in the nursing field.

(2) Failure to meet the minimum continuing competency requirement for renewal of a license shall be grounds for denial of a renewal application.

(3) The Board may waive or modify the requirements contained in this subsection in cases of hardship, disability, or illness or under such other circumstances as the board, in its discretion, deems appropriate.

(4) An applicant who is renewing a license for the first time shall not be required to meet the requirements of this subsection until the time of the second renewal if the applicant's initial license period is six months or less.

(5) Applicants for licensure renewal must submit documentation of completion of one of the continuing competency options in a manner as prescribed by the Board.

410-13-.02 – Continuing Competency Requirements for Licensed Practical Nurses

(1) Applicants for licensure renewal must satisfy one of the following continuing competency requirements during the biennial renewal period:

(a) Completion of twenty (20) continuing education hours by a Board approved provider; or

(b) Completion of an accredited academic program of study in registered professional nursing, as recognized by the board.

(2) Failure to meet the minimum continuing competency requirement for renewal of a license shall be grounds for denial of a renewal application.

(3) The Board may waive or modify the requirements contained in this subsection in cases of hardship, disability, or illness or under such other circumstances as the board, in its discretion, deems appropriate.

(4) An applicant who is renewing a license for the first time shall not be required to meet the requirements of this subsection until the time of the second renewal if the applicant's initial license period is six months or less.

(5) Applicants for licensure renewal must submit documentation of completion of one of the continuing competency options in a manner as prescribed by the Board.

410-13-.03 – Recognition of National Certifying Bodies

(1) The Board shall create and maintain a list of national certifying bodies to satisfy the continuing competency requirements provided in O.C.G.A. § 43-26-9(b.1)(2);

(2) Work related certification (i.e. Advanced Cardiovascular Life Support, Pediatric Advanced Life Support, Trauma Nursing Core Course, Pediatric Emergency Assessment, Recognition and Stabilization) may not be used to satisfy the licensure renewal requirements provided in O.C.G.A. § 43-26-9(b.1)(2).

(3) A national certifying body may seek recognition by the Board by submitting the following:

(a) Evidence that the certification process includes an initial written or online examination;

(b) Evidence that the certification includes continuing competency requirements or reexamination as a condition of recertification or certification renewal;

(4) The Board may discontinue recognition of a certifying organization.

Floyd seconded the motion and it carried unanimously.

Floyd 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. Hooper seconded the motion and it carried unanimously.

The meeting adjourned at 5:49 p.m.


Janice Izlar, RN, CRNA, DNAP President


James D. Cleghorn, Executive Director