

The Georgia Board of Nursing met February 15, 2018 via telephone conference from the Professional Licensing Boards Division of the Georgia Secretary of State, located at 237 Coliseum Drive, Macon, Georgia 31217.

THURSDAY, FEBRUARY 15, 2018

MEMBERS PRESENT

Janice Izlar, RN, CRNA, DNAP, President
Amy Hooper, LPN, Vice President
Brenda Rowe, RN, MN, JD, Immediate Past President
Nancy Barton, RN, MSN
Andrea Phipps, LPN
Darrell Thompson, RN, DNP, ACNP-BC, FNP-BC
Tammy Bryant, RN, MSN
Blair Train, Consumer Member
Julia Worthy, RN, MSN
Tracey Blalock, RN, MSN, MBA, NEA-BC
Merry Fort, RN

MEMBERS ABSENT

Fredettina (Tina) Fletcher, LPN
Linda Floyd, RN, EdD, PMHNP-BC

STAFF PRESENT

Jim Cleghorn, Executive Director
Kirsten Daughdril, JD, Sr., Assistant Attorney General
Janet Freeman, RN, BSN, Nursing Consultant – Legal/Discipline
Edye Tillman-Johnson, RN, BSN, Nursing Consultant – Legal/Discipline
Tara Miller, RN, BSN
Mary Brannen, JD, Assistant Attorney General

Hooper called the meeting to order at 4:00 p.m. on Thursday, February 15, 2018. A quorum to conduct disciplinary matters was determined to exist.

EXECUTIVE SESSION

Phipps moved, Train 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, February 15, 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.

CASE REVIEW (Legal and Discipline cases)

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

LPNI180171 – Bryant moved to close the case. Hooper seconded the motion and it carried unanimously.

LPNI180219 – Train moved to refer to the Attorney General’s Office for a private reprimand to include a fine of \$500 for a Continuing Education violation. Rowe seconded the motion and it carried unanimously.

LPNI180174 – Train moved to send an investigative letter requesting courses in Professional Accountability and Legal Liability for Nurses, Difficult or Challenging: Dealing with Patients. Hooper seconded the motion and it carried unanimously.

LPN160275 – Barton moved to send an investigative letter requesting courses in Documentation: A Critical Aspect of Client Care, Ethics of Nursing Practice, Professional Accountability and Legal Liability for Nurses and Medication Errors: Don't Let Them Happen to You. Bryant seconded the motion and it carried unanimously.

RNI170349 – Phipps moved to refer to the Attorney General's Office for an expedited hand served outpatient mental physical examination from a Board approved evaluator. Results are to be reviewed by the Investigative Committee and the Legal/Discipline Nurse Consultant. If not compliant, deny the renewal and refer for a voluntary surrender or indefinite suspension. May petition to lift with submission of mental physical examination within 30 days of petition. Hooper seconded the motion and it carried unanimously.

LPN180103 – Bryant moved to refer to the Attorney General's Office for an expedited hand served outpatient mental physical examination from a Board approved evaluator. Results are to be reviewed by the Investigative Committee and the Legal/Discipline Nurse Consultant. If not compliant, deny the renewal and refer for a voluntary surrender or indefinite suspension. May petition to lift with submission of mental physical examination within 30 days of petition. Hooper seconded the motion and it carried unanimously.

RNI170691 – Barton moved to refer to the Attorney General's Office for an expedited hand served outpatient mental physical examination from a Board approved evaluator. Results are to be reviewed by the Investigative Committee and the Legal/Discipline Nurse Consultant. If not compliant, deny the renewal and refer for a voluntary surrender or indefinite suspension. May petition to lift with submission of mental physical examination within 30 days of petition. Worthy seconded the motion and it carried unanimously.

RNI160043 – Rowe moved to refer to the Attorney General's Office for a public reprimand to include a fine of \$500 for Unprofessional Conduct, courses in Professional Accountability and Legal Liability for Nurses, Ethics of Nursing Practice and Disciplinary Actions: What Every Nurse Should Know. Phipps seconded the motion and it carried unanimously.

RNI170373 – Hooper moved to accept the inactive status application. Must submit mental physical examination from a Board approved evaluator within thirty days of petition for consideration of reinstatement. Results are to be reviewed by the Investigative Committee and the Legal/Discipline Nurse Consultant. Train seconded the motion and it carried unanimously.

RNI180402 – Rowe moved to close the case. Phipps seconded the motion and it carried unanimously.

RNI180441 – Bryant moved to refer to the Attorney General's Office for a public reprimand to include a fine of \$500 for Action in Another Jurisdiction. Barton seconded the motion and it carried unanimously.

RNI161229 – Hooper moved to close the case. Rowe seconded the motion and it carried unanimously.

RNI180729 – Hooper moved to license with a Letter of Concern (Action in Another Jurisdiction). Phipps seconded the motion and it carried unanimously.

RNI180674 – Barton moved to refer to the Attorney General's Office for an expedited hand served outpatient mental physical examination from a Board approved evaluator. Results are to be reviewed by the Investigative Committee and the Legal/Discipline Nurse Consultant. If not compliant, deny the renewal and refer for a voluntary surrender or indefinite suspension. May petition to lift with submission of mental physical examination within 30 days of petition. Worthy seconded the motion and it carried unanimously.

RNI150926 – Fort moved to refer to the Attorney General's Office for a public consent order to include a fine of \$500, five (5) years probation, two (2) years narcotic restriction, quarterly reports (self, employer, aftercare, psychotherapy, medication management), PeTH monthly for 12 months, drug screens throughout the order, Substance Abuse Stipulations and a course in Understanding Substance Use Disorder in Nursing. Phipps seconded the motion and it carried unanimously.

RNI170227 – Bryant moved to refer to the Attorney General's Office for a public consent order to include a fine of \$500, three (3) years probation, quarterly reports (self, employer), work restrictions, no home delivery during probation. Barton seconded the motion and it carried unanimously.

RNI161192 – Train moved to lift narcotic restriction and deny the termination of the consent order until compliant with the order for 12 months with no narcotic restrictions. Hooper seconded the motion and it carried unanimously.

RNI170343 – Bryant moved to refer to the Attorney General's Office for an expedited hand served outpatient mental physical examination from a Board approved evaluator. Results are to be reviewed by the Investigative Committee and the Legal/Discipline

Nurse Consultant. If not compliant, deny the renewal and refer for a voluntary surrender or indefinite suspension. May petition to lift with submission of mental physical examination within 30 days of petition. Fort seconded the motion and it carried unanimously.

RNI170186 – Barton moved to refer for an Investigative Interview. Hooper seconded the motion and it carried with Thompson abstaining.

RNI180604 – Hooper moved to authorize as an APRN. Bryant seconded the motion and it carried with Izlar abstaining.

RNI180120 – Phipps moved to require applicant to complete preceptorship as required by Georgia law. Train seconded the motion and it carried unanimously.

RNI098801 – Hooper moved to approve candidate as peer reviewer. Rowe seconded the motion and it carried unanimously.

RNI151120 – Thompson 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, psychotherapy (addictionologist)), random quarterly hair follicle for two (2) years, random quarterly drug screens throughout, Substance Abuse Stipulations and a course in Understanding Substance Use Disorder in Nursing. Worthy seconded the motion and it carried unanimously.

INVESTIGATIVE INTERVIEW

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

LPNI170134 – Rowe moved to send an investigative letter requesting courses in Documentation: A Critical Aspect of Client Care, Medication Errors: Detection and Prevention, Nurse Practice Act and Righting a Wrong: Ethics and Professionalism in Nursing. Hooper seconded the motion and it carried unanimously.

ATTORNEY GENERAL'S OFFICE

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

RNI180136 – Close the case in the Attorney General's Office.

RNI180217 – Close the case in the Attorney General's Office.

RNI150469 – Train moved to close the case with a Letter of Concern (Action in Another Jurisdiction). Thompson seconded the motion and it carried unanimously.

RNI120746 – Phipps moved to uphold the previous motion. Hooper seconded the motion and it carried unanimously.

RNI170415 – Phipps moved to rescind the previous motion. Bryant seconded the motion and it carried unanimously.

INVESTIGATIVE COMMITTEE A 02/01/2018

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

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

LPNI180133	LPNI180435	RNI180415	RNI180451	LPNI180046	RNI170770	RNI170197
LPNI170064	LPNI180069	RNI170641	RNI180270	RNI180311	RNI180694	RNI180068
LPNI180128	RNI180545	RNI170272	RNI180298	RNI180344	RNI170739	RNI170127
RNI180288	RNI170751	RNI180170	RNI180704	RNI110746	RNI180695	RNI180696
RNI170485	RNI151120					

Phipps seconded the motion and it carried with Blalock abstaining.

INVESTIGATIVE COMMITTEE B 01/25/2018

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

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

RNI171043	RNI170966	LPNI180137	RNI180302	LPNI180125	LPNI170242	RNI161014
RNI170643	LPNI160360	RNI170193	RNI120766	LPNI170139	RNI170069	RNI180309
RNI180352	LPNI170066	LPNI170058	RNI160917	LPNI170043	LPNI170042	RNI170295
RNI160850	LPNI170247	LPNI180212	RNI150038	RNI170830	RNI180183	RNI130515
RNI171014	RNI180597					

Bryant seconded the motion and it carried unanimously.

CE VIOLATIONS

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

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

RNI180722 RNI180612

Fort seconded the motion and it carried unanimously.

PRIVATE CONSENT AGREEMENTS FOR FAILURE TO DISCLOSE

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

Barton 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.

RNI180711 RNI180792 RNI180868 LPNI180222 LPNI180226

Rowe seconded the motion and it carried unanimously.

PRIVATE CONSENT AGREEMENTS FOR UNLICENSED AND UNAUTHORIZED PRACTICE

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

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

RNI180787 RNI180802 LPNI180214

Fort 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)

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

	RECOMMENDED ACTION
RN184011	Lift narcotics restriction
RN201457	Lift narcotics restriction
RN166976	Lift narcotics restriction (CRNA)
RN169642	Lift narcotics restriction

Rowe seconded the motion and it carried unanimously.

PROBATION TERMINATIONS BETWEEN MEETINGS

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

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

RNI130522 RN166142 RN101579

Train seconded the motion and it carried unanimously.

APPROVAL OF BOARD MINUTES

Hooper moved to accept the January 18-19, 2018 Executive Session meeting minutes as presented. Rowe seconded the motion and it carried unanimously.

Phipps moved to accept the January 18-19, 2018 Board meeting minutes as presented. Rowe seconded the motion and it carried unanimously.

Hooper moved to accept the January 29, 2018 Executive Session meeting minutes as presented. Fort seconded the motion and it carried unanimously.

Phipps moved to accept the January 29, 2018 Board meeting minutes as presented. Barton seconded the motion and it carried unanimously.

Bryant moved to accept the February 1, 2018 Investigative Committee B meeting minutes as presented. Phipps seconded the motion and it carried unanimously.

Hooper moved to accept the January 25, 2018 Investigative Committee B meeting minutes as presented. Bryant seconded the motion and it carried unanimously.

PETITION FOR RULE VARIANCE OR WAIVER – ALGARIN

Thompson moved to deny the petition based on lack of unique, substantial hardship. Fort seconded the motion and it carried unanimously.

STRATEGIC PLAN

Rowe moved to remove Dr. David W. Tascarella from the Board approved physician list. Barton seconded the motion and it carried unanimously.

INVESTIGATION RESOLUTION REPORT

Barton presented information to the Board regarding the average number of days that a case was with the Office of Inspector General. It was noted that the priority level of the case did not seem to have bearing on how quickly the case was investigated and referred back to the Board.

There being no further business, the meeting adjourned February 15, 2018 at 5:40 p.m.


Janice Izlar, RN, CRNA, DNAP **President**


James D. Cleghorn, **Executive Director**

STATE OF GEORGIA

COUNTY OF BIBB

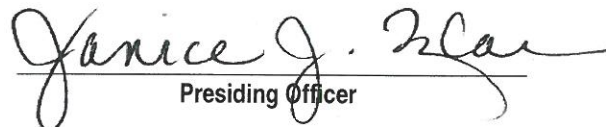
**AFFIDAVIT SUPPORTING CLOSING OF
PUBLIC MEETING**

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 February 15, 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 15th day of February 2018


Notary Public

