

The Georgia Board of Nursing met June 14, 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, JUNE 14, 2018

MEMBERS PRESENT

Janice Izlar, RN, CRNA, DNAP, President
Tracey Blalock, RN, MSN, MBA, NEA-BC
Tammy Bryant, RN, MSN
Linda Floyd, RN, EdD, PMHNP-BC
Merry Fort, RN
Brenda Rowe, RN, MN, JD, Immediate Past President
Darrell Thompson, RN, DNP, ACNP-BC, FNP-BC
Blair Train, Consumer Member
Julia Worthy, RN, MSN

MEMBERS ABSENT

Amy Hooper, LPN, Vice President
Nancy Barton, RN, MSN
Fredetena (Tina) Fletcher, LPN
Andrea Phipps, LPN

STAFF PRESENT

Jim Cleghorn, Executive Director
Mary Brannen, JD, Assistant Attorney General
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
Kim Gallogly, Education Consultant

Izlar called the meeting to order at 4:00 p.m. on Thursday, June 14, 2018. A quorum to conduct disciplinary matters was determined to exist.

EXECUTIVE SESSION

Train moved, Bryant 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, June 14, 2018, 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)

RNI180275 – Floyd moved to refer to the Attorney General’s Office for a public reprimand to include a fine of \$500 for Failure to Disclose and a fine of \$500 for Action in Another Jurisdiction. Bryant seconded the motion and it carried unanimously.

LPNI170249 – Thompson moved to send an investigative letter requesting a course in Narcotic Drugs: Handling and Documentation. Train seconded the motion and it carried unanimously.

RNI170777 – Worthy 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. 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. Rowe seconded the motion and it carried unanimously.

RNI181153 – Bryant moved to refer to the Attorney General's Office for a private reprimand to include a fine of \$500 for Failure to Disclose. Must submit final adjudication within ten days. Floyd seconded the motion and it carried unanimously.

RNI180512 – Rowe 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. 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. Train seconded the motion and it carried unanimously.

RNI180941 – Floyd moved to refer to the Attorney General's Office for a summary suspension. Fort seconded the motion and it carried unanimously.

RNI160938 – Rowe moved to refer to the Attorney General's Office for an Indefinite Suspension or a Voluntary Surrender. Bryant seconded the motion and it carried unanimously.

LPNI180260 – Fort moved to refer for an Investigative Interview. Bryant seconded the motion and it carried unanimously.

RNI171076 – Fort moved to refer to the Attorney General's Office for a public consent order to include two (2) years probation, quarterly reports (self and supervising physician), a fine of \$500 for Substandard Care, courses in Professional Accountability and Legal Liability for Nurses, Sharpening Critical Thinking Skills, Risk Advisor for APRN, and Ethics and Decision Making for APRNS. Worthy seconded the motion and it carried unanimously.

RNI180600 – Bryant moved to close the case with a Letter of Concern (Action in Another Jurisdiction). Rowe seconded the motion and it carried unanimously.

RNI181317 – Train moved to refer to the Attorney General's Office for a private consent order to include a fine of \$500 for a CE violation. Floyd seconded the motion and it carried unanimously.

RNI180910 – Bryant moved to close the case with no disciplinary action. Rowe seconded the motion and it carried unanimously.

RNI181139 – Rowe moved to send an investigative letter requesting courses in Professional Accountability and Legal Liability for Nurses, Righting A Wrong: Ethics and Professionalism in Nursing and the Georgia NPA RN. Bryant seconded the motion and it carried unanimously.

LPNI170247/LPNI180212 – Floyd moved to refer to the Attorney General's Office for a public consent order to include five (5) years monitoring, quarterly reports (self, employer, aftercare, psychotherapy, medication management, quarterly hair follicle testing for 12 months, quarterly drug screens throughout the order), Substance Abuse Stipulations, courses in Understanding Substance Use Disorder in Nursing and Professional Accountability and Legal Liability for Nurses, a fine of \$500 for Unprofessional Conduct and a fine of \$500 for a CE violation. Bryant seconded the motion and it carried unanimously.

LPNI180065 – Thompson moved to refer to the Attorney General's Office to reinstate license with a public consent agreement to include three (3) years monitoring, quarterly reports (self, employer, psychotherapy), quarterly drug screens, Substance Abuse Stipulations and a course in Understanding Substance Use Disorder in Nursing. Rowe seconded the motion and it carried unanimously.

RNI180655 – Fort moved to refer to the Attorney General's Office for a public consent order to include five (5) years monitoring, quarterly reports (self, employer, aftercare, psychotherapy) monthly PEth for 24 months and random quarterly drug screens throughout the order. Thompson seconded the motion and it carried unanimously.

RNI111117 – Rowe moved to approve the request to terminate the consent order. Fort seconded the motion and it carried unanimously.

LPNI180059 – Bryant moved to approve the request to lift the suspension and to refer to the Attorney General's Office for a public consent order to include two (2) years monitoring, quarterly reports (self, employer) and require completion of Board approved reentry program within six (6) months. Floyd seconded the motion and it carried unanimously.

RNI170069/RNI180476 – Bryant moved to refer to the Attorney General's Office for a summary suspension. 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)

RNI180838 – Bryant moved to rescind the previous Board motion from February 2018 and close the case. Rowe seconded the motion and it carried unanimously.

RNI170557 – Fort moved to refer to Investigations to obtain additional information and schedule for an Investigative Interview. Floyd seconded the motion and it carried unanimously.

RNI170756 – Bryant moved to send an investigative letter requesting courses in Documentation: A Critical Aspect of Client Care and Narcotic Drugs: Handling and Documentation. Worthy seconded the motion and it carried unanimously.

LPNI170479 – Thompson moved to rescind previous motion and remove Substance Use Disorder course. All other terms the same, including three (3) years. Worthy seconded the motion and it carried unanimously.

RNI170737/RNI180531 – Bryant moved to rescind the previous motion – three (3) month suspension. After lifting suspension, proceed with public consent order with the same terms as previously referred. Train seconded the motion and it carried unanimously.

RNI151149 – Fort moved to rescind the previous motion and accept the consent order as presented. Bryant seconded the motion and it carried unanimously.

INVESTIGATIVE COMMITTEE A 6/07/2018

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

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

RNI181088	LPNI180825	LPNI180242	RNI181071	LPNI160397	LPNI180373	RNI180882
RNI181327	LPNI180126	RNI180507	RNI181090	LPNI180066	LPNI180279	LPNI180192
LPNI180296	RNI180242	RNI180970	LPNI180364	RNI170097	RNI181329	LPNI180374
RNI181334	RNI180366	RNI181289	RNI181345	RNI180620	LPNI170139	RNI181342
RNI160858						

Thompson seconded the motion and it carried unanimously.

INVESTIGATIVE COMMITTEE B 05/31/2018

(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:

RNI181104	RNI180913	RNI180916	RNI180854	LPNI170066	LPNI180276	RNI180343
RNI181093	LPNI170398	RNI181068	RNI170712	RNI181078	LPNI180146	RNI180082
LPNI170153	LPNI180362	RNI181080(GO)	RNI181080(LH)	RNI180288	RNI170977	LPNI180049
RNI180622	RNI170469	RNI180599	RNI171076	LPNI180061	LPNI180178	RNI160234
RNI120112						

Thompson seconded the motion and it carried unanimously.

PROBATION TERMINATIONS BETWEEN MEETINGS

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

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

RNI150584 RNI150667 RNI150240 RNI140258 RNI120156 RNI110776 RNI110383
LPNI080164 RNI140033

Rowe 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)

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

	RECOMMENDED ACTION
RNI170201	Lift narcotics restriction
RNI160031	Lift narcotics restriction
RNI140239	Lift narcotics restriction
RNI060227	Lift narcotics restriction
RNI151066	Lift narcotics restriction
RNI120690	Lift narcotics restriction

Train 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)

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

	RECOMMENDED ACTION
RN214981	Change aftercare group

Thompson 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)

Bryant 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.

RNI181331 RNI181369

Thompson 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)

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

RNI181305 RNI181310 RNI181314 RNI181321 RNI181330 RNI181365 RNI181368 RN181375
RNI181385 RN181385 RN181386 RN181397

Fort seconded the motion and it carried unanimously.

APPROVAL OF BOARD MINUTES

Rowe moved to accept the May 16-18, 2018 Board meeting minutes as presented. Floyd seconded the motion and it carried unanimously.

Bryant moved to accept the May 16-18, 2018 Executive Session meeting minutes as presented. Thompson seconded the motion and it carried unanimously.

Rowe moved to accept the June 7, 2018 Investigative Committee A meeting minutes as presented. Train seconded the motion and it carried unanimously.

Bryant moved to accept the May 31, 2018 Investigative Committee B meeting minutes as presented. Thompson seconded the motion and it carried unanimously.

PETITION FOR RULE VARIANCE OR WAIVER – CHATAHOOCHEE TECHNICAL COLLEGE

Fort moved to deny the petition for rule waiver based on no demonstration of unique hardship. Train seconded the motion and it carried with Bryant abstaining.

RULES 410-2

Thompson moved to post the following amendments to Board Rules 410-2-.03 and 410-2-.06

410-2-.03 Licensure by Examination – Graduates of International Nursing Education Programs (RN)

- (1) The Board-recognized licensing examination is the National Council Licensure Examination for Registered Nurses (NCLEX-RN), for which a passing result must be achieved.
- (2) An applicant must pass the licensing examination within a three year period from the date of eligibility for graduates of nursing education programs located outside of the United States.
- (3) An applicant whose period of eligibility has expired must reestablish eligibility as a duly qualified applicant by enrolling in and graduating from an approved nursing education program as defined in O.C.G.A. § 43-26-3(1.2).
- (4) Applicants for licensure by examination who have graduated from nursing education programs located outside of the United States must submit the following:
 - (a) A complete application containing data required by the board attesting that all information contained in, or referenced by, the application is complete and accurate and is not false or misleading;
 - (b) The required application processing fee which is not refundable;
 - (c) Completed registration as required by the Board to cause the submission of a criminal background check as required by O.C.G.A. § 43-26-7(b)(4);
 - (d) Verification from the licensing agency of current licensure as a registered nurse in another territory, province, state, district, or country;
 - (e) Transcripts documenting graduation from a registered nursing education program. Transcripts must be in English or accompanied by a certified English language translation directly from the school, another licensing board, or the Commission on Graduates of Foreign Nursing Schools (CGFNS);
 - (f) Credential Evaluation Service Professional Report from the Commission on Graduates of Foreign Nursing Schools (CGFNS) or the equivalent which verifies that the applicant:
 1. Has the educational credentials equivalent to graduation from a governmentally accredited/approved, post-secondary general nursing program of at least two academic years in length;
 2. Received both theory and clinical education in each of the following: nursing care of the adult which includes both medical and surgical nursing, maternal/infant nursing, nursing care of children, and psychiatric/mental health nursing;
 3. Received initial registration/licensure as a registered nurse in the country where the applicant completed general nursing education; and
 4. Is currently licensed as a registered nurse.
 - (g) Official documentation reflecting the applicant has achieved a minimum score of 550 (paper based), 213 (computer based) or 79 (internet based) on the Test of English as a Foreign Language (TOEFL) exam, or passing score on an equivalent exam as determined by the Board, if English is not the native language of the applicant; unless a substantial portion of the applicant's nursing program of study, as determined by the Board, was conducted in English.
 - (h) Applicants must provide documentation of completion of one of the following options within the four years immediately preceding

the date of application:

1. Verification of five hundred (500) hours of licensed practice as a registered nurse in another jurisdiction during the four years immediately preceding the date of application;

2. Graduation from a nursing education program as defined in O.C.G.A. §§ 43-26-3(1.2) or 43-26-7(e); or

3.2. Verification of completion of a Board approved reentry program as provided in Rule 410-4-.03.

(i) Secure and verifiable documentation of United States citizenship or lawful presence in the United States as required by Georgia law; and

(j) Any additional information requested by the board needed to establish eligibility.

(5) If curricular deficiencies are identified by the Board, an official transcript which documents passing grades in the courses must be submitted by an approved education program.

(6) An application is active until the exam is taken or for one year, whichever comes first, after which a new application and fee are required.

(7) An applicant who passes the licensing examination and is under investigation for possible violation of the Nurse Practice Act may not be issued a license until the matter is resolved to the satisfaction of the Board. The license may be denied or sanctioned despite the applicant meeting all other criteria for licensure.

410-2-.06 Licensure by Examination – Graduates of International Practical Nursing Education Programs (LPN)

(1) The Board-recognized licensing examination is the National Council Licensure Examination for Practical Nurses (NCLEX-PN), for which a passing result must be achieved.

(2) An applicant must pass the licensing examination within a three year period from the date of eligibility for graduates of nursing education programs located outside of the United States.

(3) An applicant whose period of eligibility has expired must reestablish eligibility as a duly qualified applicant by enrolling in and graduating from an approved nursing education program.

(4) Applicants for licensure by examination who have graduated from nursing education programs located outside of the United States must submit the following:

(a) A complete application containing data required by the board attesting that all information contained in, or referenced by, the application is complete and accurate and is not false or misleading;

(b) The required application processing fee which is not refundable;

(c) Completed registration as required by the Board to cause the submission of a criminal background check as required by O.C.G.A. § 43-26-36.1;

(d) Verification from the licensing agency of current licensure as a licensed practical nurse in another territory, province, state, district, or country;

(e) Transcripts documenting graduation from a practical nursing education program. Transcripts must be in English or accompanied by a certified English language translation directly from the school, another licensing board, or the Commission on Graduates of Foreign Nursing Schools (CGFNS);

(f) Credential Evaluation Service Professional Report from the Commission on Graduates of Foreign Nursing Schools (CGFNS) or the equivalent which verifies that the applicant:

1. Has the educational credentials equivalent to graduation from a governmentally accredited/approved, post-secondary general nursing program of at least one academic year in length;

2. Received both theory and clinical education in each of the following: nursing care of the adult which includes both medical and surgical nursing, maternal/infant nursing, nursing care of children, and psychiatric/mental health nursing;

3. Received initial registration/license as a practical nurse in the country where the applicant completed practical nursing education; and

4. Is currently registered/licensed as a practical nurse.

(g) Official documentation reflecting the applicant has achieved a minimum score of 550 (paper based), 213 (computer based) or 79 (internet based) on the Test of English as a Foreign Language (TOEFL) exam, or passing score on an equivalent exam as determined by the Board, if English is not the native language of the applicant; unless a substantial portion of the applicant's nursing program of study, as determined by the Board, was conducted in English.

(h) Applicants must provide documentation of completion of one of the following options within the five years immediately preceding the date of application:

1. Verification of five hundred (500) hours of licensed practice as a practical nurse in another jurisdiction during the four years immediately preceding the date of application;

2. Graduation from a nursing education program as defined in O.C.G.A. §§ 43-26-32(1.1); or

3.2. Verification of completion of a Board approved reentry program as provided in Rule 410-4-.02.


(i) Secure and verifiable documentation of United States citizenship or lawful presence in the United States as required by Georgia law; and

- (j) Any additional information requested by the board needed to establish eligibility.
- (5) If curricular deficiencies are identified by the Board, an official transcript which documents passing grades in the courses must be submitted by an approved education program.
- (6) An application is active until the exam is taken or for one year, whichever comes first, after which a new application and fee are required.
- (7) An applicant who passes the licensing examination and is under investigation for possible violation of the Nurse Practice Act may not be issued a license until the matter is resolved to the satisfaction of the Board. The license may be denied or sanctioned despite the applicant meeting all other criteria for licensure.

Train seconded the motion and it carried unanimously.

Train 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. Rowe seconded the motion and it carried unanimously.

There being no further business, the meeting adjourned June 14, 2018 at 5:44 p.m.



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



James D. Cleghorn, **Executive Director**

STATE OF GEORGIA

COUNTY OF BIBB

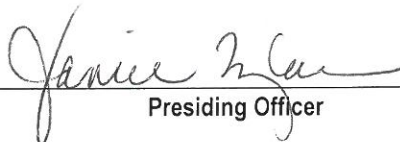
**AFFIDAVIT SUPPORTING CLOSING OF
PUBLIC MEETING**

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 June 14, 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 14th day of June 2018



Notary Public

