

The Georgia Board of Nursing met October 18, 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, OCTOBER 18, 2018

MEMBERS PRESENT

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

MEMBERS ABSENT

Amy Hooper, LPN, Vice President
Julia Worthy, RN, MSN
Fredetena (Tina) Fletcher, LPN

STAFF PRESENT

Jim Cleghorn, Executive Director
Janet Freeman, RN, BSN, Nursing Consultant – Legal/Discipline
Edye Tillman-Johnson, RN, BSN, Nursing Consultant – Legal/Discipline
Nellie Daley, Complaint-Compliance Analyst
Betsy Cohen, JD, Assistant Attorney General
Mary Brannen, JD, Assistant Attorney General

Izlar called the meeting to order at 4:00 p.m. on Thursday, October 18, 2018. A quorum to conduct disciplinary matters was determined to exist.

EXECUTIVE SESSION

Train 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 cases and pending cases. The motion passed unanimously.

At the conclusion of the Executive Session on Thursday, October 18, 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)

LPNI190116 – Phipps moved that, upon approval of refresher program, issue a temporary permit for the refresher course with a public consent order to include three (3) years probation, quarterly reports (self, employer, psychotherapy). Fort seconded the motion and it carried unanimously.

RNI190178 – Bryant moved to close the case with no disciplinary action. Train seconded the motion and it carried unanimously.

LPNI180333 – Floyd 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 Disciplinary Actions: What Every Nurse Should Know. Rowe seconded the motion and it carried with Blalock abstaining.

LPNI190095 – Phipps moved to refer to the Attorney General's Office for a private consent order to include a fine of \$500 for a continuing education violation. Rowe seconded the motion and it carried with Blalock abstaining.

RNI181123 – Barton moved to refer to the Office of Inspector General to obtain medical records and refer for peer review. Floyd seconded the motion and it carried with Izlar abstaining.

RNI181223 – Phipps moved to refer to Investigations. Bryant seconded the motion and it carried unanimously.

RNI181227 – Train moved to obtain medical records and refer for a peer review. Rowe seconded the motion and it carried unanimously.

RNI181308 – Floyd moved to obtain medical records and refer for a peer review. Rowe seconded the motion and it carried unanimously.

RNI190297 – Phipps moved to close the case. Bryant seconded the motion and it carried unanimously.

RNI180276 – Phipps moved to refer to the Attorney General's Office for a public consent order to include twenty-four (24) months probation, suspend prescriptive authority for controlled substance, quarterly reports (self, supervising physician) and a fine of \$500 for Unprofessional Conduct. Floyd seconded the motion and it carried unanimously.

RNI180245 – Rowe moved to close the case. Phipps seconded the motion and it carried with Barton abstaining.

LPNI190117 – Floyd moved to license with a Letter of Concern (Action in Another Jurisdiction). Train seconded the motion and it carried unanimously.

RNI190108 – Train moved to refer to the Attorney General's Office for a voluntary surrender or indefinite suspension. May lift with an outpatient mental physical examination from a Board approved evaluator and twenty-four (24) months documented sobriety. Results are to be reviewed by the Investigative Committee and the Legal/Discipline Nurse Consultant. Barton seconded the motion and it carried unanimously.

LPNI170066 – Rowe 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. If not compliant refer for a voluntary surrender or indefinite suspension. May petition to lift with submission of mental physical examination and a fine of \$500 for Failure to Disclose. Bryant seconded the motion and it carried unanimously.

LPNI180296 – Bryant moved to table for November meeting. Train seconded the motion and it carried unanimously.

RNI140269 – Phipps moved to approve the request to terminate early. Barton seconded the motion and it carried unanimously.

LPNI161093 – Phipps moved to refer to the Attorney General's Office for a public consent order to include five (5) years probation, two (2) years narcotic restrictions, quarterly reports (self, employer, aftercare), quarterly hair follicle tests with EtG and EtS for twelve (12) months, quarterly urine drug screens throughout the order, Substance Abuse Stipulations, standard work restrictions and courses in Understanding Substance Use Disorder in Nursing and Disciplinary Actions: What Every Nurse Should Know. Train seconded the motion and it carried unanimously.

RNI160867 – Floyd moved to refer to the Attorney General's Office and authorize as APRN with consent order to include original consent order terms and APRN prescriptive authority restrictions of controlled substances. May petition to lift prescriptive authority restrictions after two (2) years from the docket date of the new order. Fort seconded the motion and it carried unanimously.

RNI170882 – Bryant moved to refer to the Attorney General's Office and authorize as APRN with consent order to restrict prescriptive authority for controlled substances. May petition to lift prescriptive authority restrictions after two (2) years from the docket date of the new order. Fort seconded the motion and it carried unanimously.

LPNI150441 – Barton moved to refer to the Attorney General's Office for a public consent order to include five (5) years probation, quarterly reports (self, employer, aftercare, psychotherapy), monthly PEth testing for twenty-four (24) months, quarterly urine drug screens throughout the order, Substance Abuse Stipulations, standard work restrictions and a course in Understanding Substance Use Disorder in Nursing. Train seconded the motion and it carried unanimously.

RNI160932 – Rowe moved to approve the request to lift work hour restrictions. Bryant seconded the motion and it carried unanimously.

RNI181431 – Train moved to uphold the previous Board motion of voluntary surrender or indefinite suspension. May petition to lift with twenty-four (24) months of documented sobriety and a fine of \$500 for violation of the consent order. Barton seconded the motion and it carried unanimously.

RNI150853 – Phipps moved to deny the request to terminate the consent order early. Fort seconded the motion and it carried unanimously.

RNI160381 - Rowe moved to refer to the Attorney General's Office for a voluntary surrender or indefinite suspension. May petition to lift after three months and courses in Righting a Wrong: Ethics and Professionalism in Nursing, Disciplinary Actions: What Every Nurse Should Know, Jurisprudence - GA RN, The ANA Code of Ethics for Nurses With Interpretive Statements and a fine of \$2000 for Unprofessional Conduct (fined for each forged document). Fort seconded the motion and it carried unanimously.

RNI198116 - Barton moved to approve the reviewer. Rowe seconded the motion and it carried unanimously.

ATTORNEY GENERAL'S OFFICE

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

RNI180425 – Bryant moved to remove the hair follicle testing requirement. Fort seconded the motion and it carried with Rowe abstaining.

RNI190068 – Train moved to rescind the previous Board motion and to close the case. Phipps seconded the motion and it carried unanimously.

RNI170673 – Floyd moved to 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, medication management), quarterly hair follicle testing for twenty-four (24) months, urine drug testing throughout the order, Substance Abuse Stipulations, a course in Understanding Substance Use Disorder in Nursing and work restrictions. Bryant seconded the motion and it carried unanimously.

RNI180905 – Barton moved to rescind the previous Board motion and to close the case with a Letter of Concern (Criminal). Rowe seconded the motion and it carried unanimously.

RNI190094 – Bryant moved to rescind the previous Board motion and to close the case. Train seconded the motion and it carried unanimously.

RNI160234 – Bryant moved to require standard work restrictions. Fort seconded the motion and it carried unanimously.

RNI132692 – Rowe moved to rescind the previous motion and to close the case. Phipps seconded the motion and it carried unanimously.

RNI170485 – Bryant moved to uphold the previous motion for a public consent order. Train seconded the motion and it carried unanimously.

RNI180323 – Floyd moved that licensee may use aftercare monitoring only if monitoring is at the same level as aftercare provider and that the Board will not modify narcotic restrictions or work restrictions. Train seconded the motion and it carried unanimously.

RNI120112 – Rowe moved to accept the consent order as presented. Phipps seconded the motion and it carried unanimously.

RNI180177 – Phipps moved to rescind the previous motion and to close the case. Bryant seconded the motion and it carried unanimously.

RNI170168 – Bryant moved to uphold the previous motion. Barton seconded the motion and it carried unanimously.

LPNI180374 – Barton moved to close the case. Floyd seconded the motion and it carried unanimously.

LPNI170120 – Floyd moved to rescind the previous motion and to close the case. Train seconded the motion and it carried unanimously.

APPROVAL OF BOARD MINUTES

Bryant moved to accept the September 5-7, 2018 Board meeting minutes as presented. Fort seconded the motion and it carried unanimously.

Train moved to accept the September 5-7, 2018 Executive Session meeting minutes as presented. Barton seconded the motion and it carried unanimously.

Floyd moved to accept the October 10, 2018 Teleconference Executive Session meeting minutes as presented. Train seconded the motion and it carried unanimously.

Floyd moved to accept the October 4, 2018 Teleconference Executive Session meeting minutes as presented. Fort seconded the motion and it carried unanimously.

Bryant moved to accept the September 27, 2018 Teleconference Executive Session meeting minutes as presented. Fort seconded the motion and it carried unanimously.

Fort moved to accept the October 4, 2018 Investigative Committee A meeting minutes as presented. Phipps seconded the motion and it carried unanimously.

Rowe moved to accept the September 13, 2018 Investigative Committee A meeting minutes as presented. Train seconded the motion and it carried unanimously.

Bryant moved to accept the September 27, 2018 Investigative Committee B meeting minutes as presented. Phipps seconded the motion and it carried unanimously.

Train moved to accept the October 10, 2018 Teleconference meeting minutes as presented. Fort seconded the motion and it carried unanimously.

Phipps moved to accept the October 4, 2018 Teleconference meeting minutes as presented. Bryant seconded the motion and it carried unanimously.

Floyd moved to accept the September 12, 2018 Teleconference meeting minutes as presented. Fort seconded the motion and it carried unanimously.

Bryant moved to accept the September 27, 2018 Teleconference meeting minutes as presented. Phipps seconded the motion and it carried unanimously.

INVESTIGATIVE COMMITTEE A 10/04/2018

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

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

RNI190066	LPNI190026	RNI190071	LPNI180252	LPNI180232	LPNI190108	LPNI190109
RNI190239	LPNI130158	LPNI150053	RNI170915	RNI190280	RNI190035	RNI190278
LPNI190020	RNI170290	LPNI180390	RNI190274	RNI190275	LPNI170458	LPNI190105
RNI181193	LPNI190107	LPNI190001	RNI181373	LPNI160006	RNI161069	RNI181438
RNI190104						

Fort seconded the motion and it carried with Rowe abstaining.

INVESTIGATIVE COMMITTEE A 09/13/2018

(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:

RNI190051	RNI190079	RNI190025	RNI190060	RNI171010	RNI180883	LPNI180144
RNI180353	LPNI180229	RNI190186	RNI170858	RNI190149	RNI180837	RNI190047
LPNI180227	RNI181381	RNI181325	RNI190182	RNI190206	LPNI190074	RNI180001
LPNI170398	RNI140159	RNI180505	RNI190214	RNI180318	LPNI170371	RNI190225

Train seconded the motion and it carried unanimously.

INVESTIGATIVE COMMITTEE B 09/27/2018

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

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

<u>LPNI190031</u>	<u>LPNI190085</u>	<u>RNI190091</u>	<u>RNI190089</u>	<u>RNI190038</u>	<u>LPNI190028</u>	<u>RNI180843</u>
<u>RNI190230</u>	<u>LPNI180310</u>	<u>LPNI180355</u>	<u>RNI170318</u>	<u>RNI180991</u>	<u>RNI170820</u>	<u>RNI181229</u>
<u>RNI181255</u>	<u>RNI180428</u>	<u>RNI180152</u>	<u>RNI181429</u>	<u>RNI190233</u>	<u>LPNI190018</u>	<u>RNI181377</u>
<u>RNI180831</u>	<u>LPNI160087</u>	<u>LPNI180181</u>	<u>RNI160634</u>	<u>RNI190232</u>	<u>RNI160202</u>	<u>RNI170777</u>
<u>RNI181081</u>						

Phipps 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)

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

	RECOMMENDED ACTION
RN202201	Lift narcotics restriction
RN227518	Lift narcotics restriction
RN191180	Lift narcotics restriction
LPN065799	Lift narcotics restriction
RN124775	Lift narcotics restriction
RNI160945	Lift narcotics restriction
RNI160660	Lift narcotics restriction

Bryant 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)

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

	RECOMMENDED ACTION
RNI160874	Change aftercare group
RNI161089	Change aftercare group

Fort seconded the motion and it carried unanimously.

PROBATION TERMINATIONS BETWEEN MEETINGS

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

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

RNI197889 RN210645 LPN051888

Barton 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)

Rowe 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.

RNI190238 RNI190307

Phipps seconded the motion and it carried unanimously.

CONSENT AGREEMENTS FOR UNLICENSED AND UNAUTHORIZED PRACTICE

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

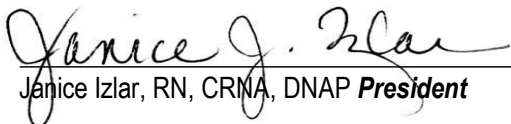
Barton moved to ratify the Public and Private Consent Agreements for unlicensed/unauthorized practice that were issued according to the Board’s policies.

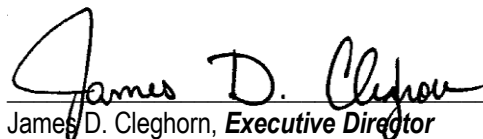
RNI190256 RNI190257 RNI190276 RNI190305 LPNI190093 LPNI190118

Fort seconded the motion and it carried unanimously.

The Board discussed the use of Policy 1.14 during Hurricane Michael and noted that it had been used by several dialysis providers.

There being no further business, the meeting adjourned October 18, 2018 at 6:12 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 October 18, 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 18th day of October 2018



Notary Public

