

The Investigative Committee of the Georgia Board of Nursing met Thursday, December 6, 2018 via conference call at the Professional Licensing Boards Division of the Secretary of State located at 237 Coliseum Drive, Macon, Georgia 31217.

THURSDAY, DECEMBER 6, 2018

MEMBERS PRESENT

K. Andrea Phipps, LPN
Linda Floyd, RN, EdD, PMHNP-BC
Merry Fort, RN
Tammy Bryant, RN, MSN

MEMBERS ABSENT

Amy Hooper, LPN, Vice President

STAFF PRESENT

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

Bryant called the meeting to order at 4:00 p.m. on Thursday, December 6, 2018.

EXECUTIVE SESSION

Fort moved, Floyd 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, December 6, 2018, Bryant 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)

Fort moved to present the following recommendations to the Board.

RNI190143 – Close the case with no disciplinary action. Floyd abstained.

RNI190283 – Close the case with no disciplinary action. Floyd abstained.

RNI190267 – Close the case with no disciplinary action.

LPNI190145 – 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.

LPNI190146 – 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.

RNI181119 – Send a Letter of Concern (Positive Urine Drug Screen).

LPNI180380 – Refer to the Attorney General’s Office for an outpatient mental physical examination. 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 and deny the renewal. May petition to lift with submission of MPE.

RNI190029 – Close the case with no disciplinary action.

RNI190377 – Close the case; CE documentation has been submitted.

RNI190423 – Issue single state license due to history of felony conviction.

RNI190425 – Send the applicant a letter requesting documentation of twelve (12) months of continuous sobriety along with a MPE.

RNI190367 – **WSM** – Close case with no disciplinary action.

RNI190367 – **MD** – Close case with no disciplinary action.

RNI190367 – **HB** – Close case with no disciplinary action.

RNI190144 – 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 non-compliant, refer for a voluntary surrender or indefinite suspension and deny the renewal. May petition to lift with submission of mental physical examination.

RNI180666 – Refer for an Investigative Interview.

RNI181306 – Refer to the Office of Inspector General and for a peer review.

RNI181352 – Close the case with a Letter of Concern (Understanding Facility Policy).

LPNI190002 – Refer to Investigations.

LPNI180249 – Close the case with no disciplinary action.

RNI181332 – Refer to the Attorney General's Office for a public consent order to include three (3) years probation, one (1) year narcotic restriction, quarterly reports (self, employer, psychotherapy, toxicology screens through Affinity, standard work restrictions plus no employment with hospice or pain management clinic, one (1) employer at a time, prohibited from working more than 80 hours in a two week period (14 days), prohibited from working "double shifts", "back to back" or a shift within 11 even hours of the previous shift.

RNI190015 – Refer to Investigations.

RNI190203 – Refer to the Attorney General's Office for a public reprimand (Action in Another Jurisdiction).

RNI190424 – License with a Letter of Concern (Criminal).

RNI190378 – Send a letter of modification with a sobriety date of November 16, 2018.

RNI170745 – Refer to the Attorney General's Office for a public reprimand to include five (5) years probation, two (2) years narcotic restrictions, quarterly reports (self, employer, aftercare), substance abuse stipulations, standard work restrictions, quarterly hair follicle testing (Hairstat 7 and Kratom) for twenty-four (24) months, quarterly urine drug screens and courses in Understanding Substance Abuse Disorder in Nursing, Disciplinary Actions: What Every Nurse Should Know and Righting A Wrong: Ethics and Professionalism in Nursing.

RNI180161 – Refer to the Attorney General's Office to lift suspension with a public reprimand to include five (5) years probation, two (2) years narcotic restrictions, quarterly reports (self, employer, aftercare), substance abuse stipulations, quarterly hair Stat 5 tests, monthly PEth for 24 months, quarterly urine drug screens throughout the order, standard work restrictions plus no more than 40 hours of work per week, courses in Understanding Substance Abuse Disorder in Nursing, Disciplinary Actions: What Every Nurse Should Know and Righting A Wrong: Ethics and Professionalism in Nursing.

RNI190332 – 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 within 30 days of petition.

RNI180719 - Refer to the Attorney General’s Office for a public reprimand to include five (5) years probation with documentation of completion of outpatient program within 60-90 days of order, quarterly reports (self, employer, aftercare), substance abuse stipulations, quarterly urine drug screens, standard work restrictions, courses in Understanding Substance Abuse Disorder in Nursing, Disciplinary Actions: What Every Nurse Should Know and Righting A Wrong: Ethics and Professionalism in Nursing and a fine of \$500 for Unprofessional Conduct.

RNI170551 – Refer to the Attorney General’s Office for an outpatient mental physical examination for consideration of lifting the suspension of license. Results are to be reviewed by the Investigative Committee and the Legal/Discipline Nurse Consultant.

RNI111010 – Refer to the Attorney General’s Office for an outpatient mental physical examination for consideration of lifting the suspension of license. Results are to be reviewed by the Investigative Committee and the Legal/Discipline Nurse Consultant.

LPNI180276 – Close the case.

RNI190282 - Refer to the Attorney General’s Office for a public reprimand to include five (5) years probation, quarterly reports (self, employer, aftercare, psychotherapy), substance abuse stipulations, monthly PEth for (12) twelve months, quarterly urine drug screens, standard work restrictions, courses in Understanding Substance Abuse Disorder in Nursing, Disciplinary Actions: What Every Nurse Should Know and Righting A Wrong: Ethics and Professionalism in Nursing and a fine of \$500 for Failure to Disclose.

Phipps seconded the motion and it carried unanimously.

There being no further business, the meeting adjourned Thursday, December 6, 2018 at 4:26 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 December 6, 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

Jammy Bryant, RN, MSO
Presiding Officer

Sworn and subscribed before me
This 6th day of December 2018

Reena L. Gray
Notary Public

