

The Georgia Board of Nursing met December 13, 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, DECEMBER 13, 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  
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  
Fredetena (Tina) Fletcher, LPN  
Julia Worthy, RN, MSN  
Linda Floyd, RN, EdD, PMHNP-BC

**STAFF PRESENT**

Jim Cleghorn, Executive Director  
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  
Kim Gallogly, Education Consultant  
Betsy Cohen, JD, Assistant Attorney General

Izlar called the meeting to order at 4:00 p.m. on Thursday, December 13, 2018. A quorum to conduct disciplinary matters was determined to exist.

**EXECUTIVE SESSION**

Train moved, Fort 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, December 13, 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)**

**RNI190234** – Bryant moved to send an investigative letter with courses to include: Professional Accountability and Legal Liability for Nurses, Difficult or Challenging? Dealing with Patients, Patient Rights, and Disciplinary Actions: What Every Nurse Should Know. Phipps seconded the motion and it carried unanimously.

**LPNI190067** – Rowe moved to refer to the Attorney General's Office for an expedited 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. The Board will not accept a request for inactive status. Phipps seconded the motion and it carried unanimously.

**LPNI190140** – Train 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. Fort seconded the motion and it carried unanimously.

**RNI190109** – Barton moved to close the case with no disciplinary action. Fort seconded the motion and it carried unanimously.

**RNI181008** – Bryant moved to send an investigative letter requesting courses in Professional Accountability and Legal Liability for Nurses, Disciplinary Actions, What Every Nurse Should Know, Narcotic Drugs: Handling and Documentation and Documentation: Accurate and Legal. Rowe seconded the motion and it carried unanimously.

**LPNI180232** – Train moved to refer to the Attorney General's Office for a public consent order to include two (2) years probation, a \$500.00 fine for Unprofessional Conduct, quarterly reports (employer, psychotherapy), and courses in: Disciplinary Actions, What Every Nurse Should Know, Professional Accountability and Legal Liability for Nurses, Documentation: A Critical Aspect of Client Care, Narcotic Drugs: Handling and Documentation, and Jurisprudence course for LPN. Bryant seconded the motion and it carried unanimously.

**RNI190018** – Rowe moved to refer to the Office of Inspector General for information regarding documentation. Barton seconded the motion and it carried unanimously.

**LPNI180225** – Train moved to refer to the Attorney General's Office for an expedited 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. Fort seconded the motion and it carried unanimously.

**RNI140591** – Rowe moved to approve the request to terminate the consent order early. Fort seconded the motion and it carried unanimously.

**RNI160785** – Bryant moved to deny the request to terminate consent order early. Train seconded the motion and it carried unanimously.

**RNI190314** – Phipps moved to refer to Attorney General's Office for a voluntary surrender or an indefinite suspension. May petition to lift with the completion of an intensive outpatient program treatment. Thompson seconded the motion and it carried unanimously.

**RNI190340** – 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 non-compliant, refer for a voluntary surrender or indefinite suspension and deny the renewal. May petition to lift with submission of mental physical examination. Barton seconded the motion and it carried with Fort abstaining.

**RNI190606** – Rowe 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. Barton seconded the motion and it carried with Fort abstaining.

**RNI190247** – Bryant 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 non-compliant, refer for a voluntary surrender or indefinite suspension and deny the renewal. May petition to lift with submission of mental physical examination. Must submit final disposition of court case within 10 days of adjudication. Train seconded the motion and it carried unanimously.

**RNI140433** – Barton moved to terminate the consent order and authorize as an APRN. Bryant seconded the motion and it carried unanimously.

**RNI181252** – Rowe moved to close the case with no disciplinary action. Fort seconded the motion and it carried unanimously.

**LPNI190169** – Bryant moved to refer for 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. Must submit documentation of successful completion of criminal probation. Train seconded the motion and it carried unanimously.

**RNI180198** – Rowe moved to refer to the Attorney General's Office for a public reprimand to include three (3) years probation, quarterly reports (self, employer), Substance Abuse Stipulations, standard work restrictions, quarterly urine drug screens throughout the order, a fine of \$500 for Unprofessional Conduct and courses in Understanding Substance Use Disorder in Nursing and Disciplinary Actions: What Every Nurse Should Know and Righting a Wrong: Ethics and Professionalism in Nursing. Bryant seconded the motion and it carried unanimously.

**RNI190454** – Barton moved to refer to the Attorney General's Office for revocation. Phipps seconded the motion and it carried unanimously.

**RNI190460** – Rowe moved to license upon successful completion of a psychiatric mental health course with a clinical component from a Board approved nursing education program. Train seconded the motion and it carried unanimously.

**RNI190471** – Phipps moved to refer to the Attorney General's Office to reinstate license with a public consent agreement to include five (5) years probation, quarterly reports (self, employer, aftercare, PDMP), urine drug screens every two weeks, Substance Abuse Stipulations, standard work restrictions and a course in Understanding Substance Use Disorder in Nursing. Fort seconded the motion and it carried unanimously.

**RNI150045** – Rowe moved to deny the request to terminate the consent order early. Phipps seconded the motion and it carried unanimously.

**RNI120261** – Phipps moved to deny the request to terminate the consent order early. Barton seconded the motion and it carried unanimously.

#### **ATTORNEY GENERAL'S OFFICE**

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

**RNI160234** – Rowe moved to close the case. Fort seconded the motion and it carried unanimously.

**RNI190124** – Bryant moved to rescind the previous Board motion and to reinstate the license. Phipps seconded the motion and it carried with Barton opposing.

**RNI180748** – Barton moved to accept the monthly drug test from DUI court until criminal probation is complete in January 2020 and then continue with Affinity or other approved monitoring. Accept monthly Peth from September 2018 forward and shortening yearly Peth to eight (8) months from docket date. All other provisions of the consent order remain the same. Train seconded the motion and it carried unanimously.

**RNI181431** – Bryant moved to refer to the Attorney General's Office for an indefinite suspension. May petition to lift with six (6) months documented continuous sobriety. Phipps seconded the motion and it carried unanimously.

**RNI180128** – Rowe moved to rescind the previous Board motion and to refer to the Attorney General's Office for a public reprimand to include a fine of \$500 for Unprofessional Conduct. Phipps seconded the motion and it carried unanimously.

**LPNI190048** – Bryant moved to close the case. Train seconded the motion and it carried unanimously.

**RNI181395** – Phipps moved to close the case. Rowe seconded the motion and it carried unanimously.

**LPNI180364** – Barton moved to close the case. Phipps seconded the motion and it carried unanimously.

**RNI190293** – Bryant moved to uphold the previous motion. 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)

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

**RNI220706      RNI140239**

Bryant 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)

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

<b>CASE NUMBER</b>	<b>RECOMMENDED ACTION</b>
<b>RNI160766</b>	Lift narcotics restriction
<b>RNI160741</b>	Lift narcotics restriction
<b>LPNI160150</b>	Lift narcotics restriction
<b>RNI150575</b>	Lift narcotics restriction

Fort seconded the motion and it carried unanimously.

**INVESTIGATIVE COMMITTEE B 12/06/2018**

(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:

<b>RNI190143</b>	<b>RNI190283</b>	<b>RNI190267</b>	<b>LPNI190145</b>	<b>LPNI190146</b>	<b>RNI181119</b>	<b>LPNI180380</b>
<b>RNI190029</b>	<b>RNI190377</b>	<b>RNI190423</b>	<b>RNI190425</b>	<b>RNI190367</b>	<b>RNI190144</b>	<b>RNI180666</b>
<b>RNI181306</b>	<b>RNI181352</b>	<b>LPNI190002</b>	<b>LPNI180249</b>	<b>RNI181332</b>	<b>RNI190015</b>	<b>RNI190203</b>
<b>RNI190424</b>	<b>RNI190378</b>	<b>RNI170745</b>	<b>RNI180161</b>	<b>RNI190332</b>	<b>RNI180719</b>	<b>RNI170551</b>
<b>RNI111010</b>	<b>LPNI180276</b>	<b>RNI190282</b>				

Fort seconded the motion and it carried with Barton abstaining.

**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:

	<b>RECOMMENDED ACTION</b>
<b>RN245528</b>	Change aftercare group
<b>LPN057371</b>	Change aftercare group

Fort seconded the motion and it carried unanimously.

**VOLUNTARY SURRENDER**

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

Bryant moved to ratify the licenses that were voluntarily surrendered as listed below:

**RN048012      RN125949      RN233406**

Rowe 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)

Fort 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.

**RNI190432      RNI190620      RNI190625      LPNI190154      LPNI190182      RNI190468**

Thompson 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)

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

**RNI190452   RNI190438   RNI190622   LPNI190159**

Fort seconded the motion and it carried unanimously.

**APPROVAL OF BOARD MINUTES**

Bryant moved to accept the November 7-9, 2018 Board meeting minutes as presented. Train seconded the motion and it carried unanimously.

Phipps moved to accept the November 7-9, 2018 Executive Session meeting minutes as presented. Thompson seconded the motion and it carried unanimously.

Bryant moved to accept the November 26, 2018 Teleconference Executive Session meeting minutes as presented. Fort seconded the motion and it carried unanimously.

Rowe moved to accept the November 30, 2018 Teleconference Executive Session meeting minutes as presented. Fort seconded the motion and it carried unanimously.

Fort moved to accept the December 6, 2018 Investigative Committee B meeting minutes as presented. Phipps seconded the motion and it carried unanimously.


Barton moved to accept the November 26, 2018 Teleconference meeting minutes as presented. Train seconded the motion and it carried unanimously.

Fort moved to accept the November 30, 2018 Teleconference meeting minutes as presented. Train seconded the motion and it carried unanimously.

**PETITION FOR RULE VARIANCE OR WAIVER – CAROL RAMSEY**

Rowe moved to deny the petition for rule waiver on the grounds that the petitioner did not demonstrate that application of the rule would constitute a unique and substantial hardship as provided in O.C.G.A. § 50-13-9.1. Barton seconded the motion and it carried unanimously.

There being no further business, the meeting adjourned December 13, 2018 at 5:29 p.m.

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

  
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James D. Cleghorn, **Executive Director**

STATE OF GEORGIA

COUNTY OF BIBB

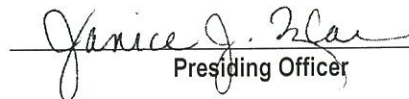
**AFFIDAVIT SUPPORTING CLOSING OF  
PUBLIC MEETING**

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 13, 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 13th day of December 2018

  
\_\_\_\_\_  
Notary Public

