

The Investigative Committee of the Georgia Board of Nursing met Thursday, April 25, 2019 via conference call at the Professional Licensing Boards Division of the Secretary of State located at 237 Coliseum Drive, Macon, Georgia 31217.

THURSDAY, APRIL 25, 2019

MEMBERS PRESENT

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

MEMBERS ABSENT

Debra Amick
Merry Fort, RN

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 4:31 p.m. on Thursday, April 25, 2019.

EXECUTIVE SESSION

Phipps 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, April 25, 2019 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)

Phipps moved to present the following recommendations to the Board.

RNI190920 – Close case with no disciplinary action.

RNI190846 – 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, quarterly hair follicle testing for 24 months, quarterly urine drug screenings, standard work restrictions, courses in Understanding Substance Use Disorder in Nursing, Righting a Wrong: Ethics and Professionalism in Nursing and Disciplinary Actions: What Every Nurse Should Know.

RNI190594 – 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 within 30 days of petition.

RNI170551 – 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, psychotherapy-addictionologist and certified addiction counselor, medication management), substance abuse stipulations, quarterly hair follicle testing for 12 months, quarterly urine drug screenings, standard work restrictions, courses in Understanding Substance Use Disorder in Nursing, Righting a Wrong: Ethics and Professionalism in Nursing and Disciplinary Actions: What Every Nurse Should Know. Floyd abstained.

RNI191039 – Send a letter of modification with a new sobriety date of March 4, 2019.

LPNI190338/ LPNI160285 – Refer for an Investigative Interview.

RNI180564 – 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 within 30 days of petition.

RNI191103 – Close Continuing Education complaint (documents received).

RNI191110 – Refer to the Attorney General's Office for a private consent order to include a fine of \$500 for falsification of 2018-2020 renewal application.

LPNI190268 – Send an Investigative Letter requesting courses in: Professional Accountability and Legal Liability for Nurses, Difficult or Challenging? Dealing with Patients, Disciplinary Actions: What Every Nurse Should Know, and Resident's Rights.

LPNI190339 – Refer to the Attorney General's Office for a private consent order to include a fine of \$500 for a Continuing Education violation.

RNI190982 – Refer to the Office of Inspector General to obtain statements from physicians involved.

RNI190780 – Upgrade to multistate license with a Letter of Concern (Alcohol). Must submit completion of probation within 10 days of completion.

LPNI180386 – Place name and information on Imposter website.

RNI181123 – Close the case with a Letter of Concern (Substandard Practice).

RNI181144 – Post name and information on Imposter website. Floyd abstained.

RNI181270 – Table complaint pending the outcome of the felony criminal case. Respondent must submit the final court disposition of the 2018 felony charges.

RNI180057 – 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 within 30 days of petition.

LPNI180238 – Send an investigative letter requesting courses in Ethics of Nursing Practice, Documentation: Accurate and Legal, Disciplinary Actions: What Every Nurse Should Know and Professional Accountability and Legal Liability for Nurses.

LPNI180350 – 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 within 30 days of petition.

LPNI190414 – Refer to the Attorney General's Office for a private consent order to include a fine of \$500 for a Continuing Education violation.

RNI180594 – 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 within 30 days of petition.

RNI180676 – Table until May 2019 board meeting.

LPN190090 – Refer for an investigative interview.

LPN190314 – Refer to the Attorney General's Office for a public consent order to include five (5) years probation, quarterly reports (self, employer, aftercare), substance abuse stipulations, quarterly urine drug screenings, standard work restrictions and a course in Understanding Substance Use Disorder in Nursing.

LPN180280 - Refer to the Attorney General's Office for a Public reprimand to include a fine of \$500, quarterly reports (self, employer), courses in Documentation: A Critical Aspect of Client Care, Disciplinary Actions: What Every Nurse Should Know, and Professional Accountability and Legal Liability for Nurses.

RNI190924 – Refer for an Investigative Interview.

RNI180246/RNI181107/RNI190467- Refer to the Attorney General's Office for a public reprimand for a fine of \$500 for each facility complaint = \$1500, five (5) years probation, two (2) years narcotic restrictions, quarterly reports (self, employer), quarterly hair follicle testing for 24 months, quarterly urine drug screenings throughout the order and a fine of \$500 for Failure to Disclose.

RNI190915 – Refer to the Attorney General's Office for a public consent order to include five (5) years probation, quarterly reports (self, employer, aftercare), substance abuse stipulations, monthly PEth for 24 months, quarterly urine drug screenings throughout the order, standard work restrictions and a course in Understanding Substance Use Disorder in Nursing.

RNI191082 – Request a safe to practice statement. If not received within ten (10) days, 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 within 30 days of petition.

RNI191084 – Send a Letter of Modification with a sobriety date of March 15, 2019.

RNI191140 – Send the applicant a letter informing her that a list of clinical sites with contact information for each site and a list of her professors must be submitted to the board office for consideration of licensure.

Floyd seconded the motion and it carried unanimously.

There being no further business, the meeting adjourned Thursday, April 25, 2019 at 4:56 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.

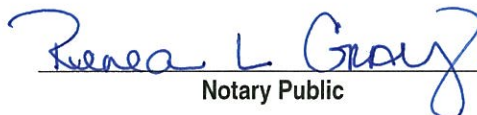
1. I am the presiding officer of the Georgia Board of Nursing.
2. I am over the age of 18 and in all other aspects competent to make this sworn statement. I acknowledge that I am giving this statement under oath and penalty of perjury and that I have read the contents of this affidavit prior to signing it.
3. On April 25, 2019 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 25th day of April, 2019



Notary Public

