

The Investigative Committee of the Georgia Board of Nursing met Thursday, August 1, 2019 via conference call at the Professional Licensing Boards Division of the Secretary of State located at 237 Coliseum Drive, Macon, Georgia 31217.

THURSDAY, AUGUST 1, 2019

MEMBERS PRESENT

Darrell Thompson, RN, DNP, ACNP-BC, FNP-BC
Tracey Blalock, RN, MSN, MBA, NEA-BC
Tina Fletcher, LPN
Blair Train, Consumer Member

MEMBERS ABSENT

Irene Cordell, RN

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
Mary Brannen, JD, Assistant Attorney General

Thompson called the meeting to order at 4:00 p.m. on Thursday, August 1, 2019.

EXECUTIVE SESSION

Train moved, Blalock 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, August 1, 2019 Thompson 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)

Blalock moved to present the following recommendations to the Board.

RNI191233 – Send an investigative letter with courses to include: Professional Accountability and Legal Liability for Nurses, Disciplinary Actions: What Every Nurse Should Know, Medication Errors: Causes and Prevention and Medication Administration.

RNI91460 – Close the case with no disciplinary action.

RNI191303 – Close the case with no disciplinary action.

RNI190024 – 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 and documentation of completion of the standard practice requirements as provided in Board Rule 410-4-.01(1)(d).

RNI191459 – Refer to the Attorney General’s Office for a private consent order to include a fine of \$500 for Continuing Education violation.

LPNI180321 – Refer to the Attorney General’s Office for a public reprimand to include a fine of \$500 for Failure to Disclose.

RNI181133 – 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 and documentation of completion of the standard practice requirements as provided in Board Rule 410-4-.01(1)(d).

LPNI180056 – Refer to staff.

RNI180123 – Refer to staff.

RNI180645 – Refer to the Attorney General's Office for a private consent order to include a fine of \$500 for Failure to Disclose.

RNI181297 – If safe to practice statement is obtained, refer to the Attorney General's Office for a public reprimand, five (5) years probation, two (2) years narcotic restrictions, quarterly reports (self, employer, aftercare, psychotherapy), quarterly Hairstat 5 for 12 months, quarterly urine drug screenings throughout order, Substance Abuse Stipulations, courses in Understanding Substance Use Disorder in Nursing, Disciplinary Actions: What Every Nurse Should Know and Narcotic Documentation and Handling. If no safe to practice statement, 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 and documentation of completion of the standard practice requirements as provided in Board Rule 410-4-.01(1)(d).

RNI190258 – Close the case with no disciplinary action.

RNI190122 – 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 and documentation of completion of the standard practice requirements as provided in Board Rule 410-4-.01(1)(d).

RNI191481 – 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 Failure to Disclose NLC application.

RNI191496 – Close the case. Continuing Education requirements met.

RNI191145 – 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), Substance Abuse Stipulations, monthly PEth for 12 months, quarterly hair for 12 months (Hairstat 10), quarterly urine drug screenings throughout the order, standard work restrictions, courses in Disciplinary Actions: What Every Nurse Should Know, Understanding Substance Use Disorder in Nursing and Righting a Wrong: Ethics and Professionalism in Nursing.

RNI180837-CDB – Refer to the Attorney General's Office for a public consent order to include five (5) years probation, quarterly reports (self, employer, aftercare, psychotherapy), Substance Abuse Stipulations, monthly PEth for 12 months, quarterly urine drug screenings throughout the order, standard work restrictions, courses in Disciplinary Actions: What Every Nurse Should Know, Understanding Substance Use Disorder in Nursing and a fine of \$500 for Failure to Disclose arrest. Must submit documentation of completed IOP within 60 days of docket date of consent order.

RNI180837-JMP – 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 and documentation of completion of the standard practice requirements as provided in Board Rule 410-4-.01(1)(d).

RNI180505 – Refer to the Attorney General’s Office for a public reprimand to include a fine of \$500 for Unprofessional Conduct, courses in Jurisprudence – GA RN, Sharpening Critical Thinking Skills, Professional Accountability and Legal Liability for Nurses, quarterly reports (personal, employer) for 12 months.

RNI191473 – Lift suspension of license with a public consent order to include five (5) years probation, quarterly reports (self, employer, aftercare), substance abuse stipulations, quarterly hair follicle testing (Hairstat 5) for 24 months, quarterly urine drug screenings throughout the order, standard work restrictions, courses in Understanding Substance Use Disorder in Nursing, Disciplinary Actions: What Every Nurse Should Know, Righting a Wrong: Ethics and Professionalism in Nursing and a fine of \$500 for a continuing education violation.

RNI200113 – Lift suspension of license with a public consent order to include five (5) years probation, quarterly reports (self, employer, aftercare), substance abuse stipulations, quarterly hair follicle testing (Hairstat 5) for 24 months, quarterly urine drug screenings throughout the order, standard work restrictions, courses in Understanding Substance Use Disorder in Nursing, Disciplinary Actions: What Every Nurse Should Know, Righting a Wrong: Ethics and Professionalism in Nursing and a fine of \$500 for a continuing education violation.

LPNI190023 – 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 and documentation of completion of the standard practice requirements as provided in Board Rule 410-4-.02(1)(d).

LPNI190313 – Refer to the Attorney General’s Office for three (3) months suspension. May petition to lift with 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, proof of standard practice requirements, courses in Professional Accountability, Narcotic Drugs, Disciplinary Actions, three fines of \$500 for each falsified renewal application and a fine of \$500 for continuing education violation.

LPNI200032 – Refer to the Attorney General’s Office for three (3) months suspension. May petition to lift with 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, proof of standard practice requirements, courses in Professional Accountability, Narcotic Drugs, Disciplinary Actions, three fines of \$500 for each falsified renewal application and a fine of \$500 for continuing education violation.

RNI190959 – Refer for a peer review.

RNI190972 – 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 and documentation of completion of the standard practice requirements as provided in Board Rule 410-4-.01(1)(d).

RNI190999 – Send a letter requesting courses in Professional Accountability and Legal Liability for Nurses and Disciplinary Actions: What Every Nurse Should Know.

RNI11160/RNI191214 – 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 12 months, quarterly urine drug screenings, standard work restrictions, courses in Understanding Substance Use Disorder in Nursing, Disciplinary Actions: What Every Nurse Should Know, Righting a Wrong: Ethics and Professionalism in Nursing, and a fine of \$1000 for Failure to Disclose arrest and Treatment.

RNI191174 – Refer to the Attorney General’s Office for a private consent order to include five (5) years monitoring, quarterly reports (self, employer, aftercare, psychotherapy), substance abuse stipulations, monthly PEth for 12 months, quarterly urine drug screenings throughout the order, standard work restrictions, courses in Understanding Substance Use Disorder in Nursing and Understanding the Disease of Addiction.

RNI191320 - 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 and documentation of completion of the standard practice requirements as provided in Board Rule 410-4-.01(1)(d).

RNI181171 – Lift suspension of license with a public consent order to include five years probation, quarterly reports (self, employer, aftercare), substance abuse stipulations, monthly PETH for one (1) year, quarterly urine drug screenings throughout the order, standard work restrictions, courses in Understanding Substance Use Disorder in Nursing, Disciplinary Actions: What Every Nurse Should Know and Righting a Wrong: Ethics and Professionalism in Nursing.

RNI150769 – Approve request to terminate consent order early.

Train seconded the motion and it carried unanimously.

There being no further business, the meeting adjourned Thursday, August 1, 2019 at 4:30 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 August 1, 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

Daniel Chapman
Presiding Officer

Sworn and subscribed before me
This 1st day of August, 2019

Renea L Gray
Notary Public

