

The Georgia Board of Nursing met August 8, 2019 via telephone conference from the Professional Licensing Boards Division of the Georgia Secretary of State, located at 237 Coliseum Drive, Macon, Georgia 31217.

THURSDAY, AUGUST 8, 2019

MEMBERS PRESENT

Janice Izlar, RN, CRNA, DNAP, President
Tracey Blalock, RN, MSN, MBA, NEA-BC
Tammy Bryant, RN, MSN
Linda Floyd, RN, EdD, PMHNP-BC
Merry Fort, RN
Andrea Phipps, LPN
Jennifer Pipkin, RN, MSN, CRNA
Darrell Thompson, RN, DNP, ACNP-BC, FNP-BC

MEMBERS ABSENT

Irene Cordell, RN
Fredetena (Tina) Fletcher, LPN
Blair Train, Consumer Member

STAFF PRESENT

Jim Cleghorn, Executive Director
Mary Brannen, JD, Assistant Attorney General
Kirsten Daughdril, JD, Assistant Attorney General
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

Izlar called the meeting to order at 4:00 p.m. on Thursday, August 8, 2019. A quorum to conduct disciplinary matters was determined to exist.

EXECUTIVE SESSION

Phipps moved, Thompson 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, August 8, 2019, 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)

RNI191400 – Blalock moved to refer to the Office of Inspector General to investigate possible imposter. Phipps seconded the motion and it carried unanimously.

RNI190030 – Phipps moved to refer to the Attorney General's Office for a private consent order to include five (5) years monitoring, quarterly reports (self, employer, aftercare, psychotherapy, medication management), substance abuse stipulations, monthly PEth for 12 months, quarterly urine drug screenings throughout, standard work restrictions, courses to include: Understanding Substance Use Disorder in Nursing, and Disciplinary Actions: What Every Nurse Should Know. Fort seconded the motion and it carried unanimously.

RNI190026 – Fort 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 and completion of standard practice requirements. Floyd seconded the motion and it carried unanimously.

LPNI180312 – Phipps moved to close case with no disciplinary action. Bryant seconded the motion and it carried unanimously.

LPNI190058 – Blalock moved to close case with no disciplinary action. Pipkin seconded the motion and it carried unanimously.

LPNI180398 – Phipps moved to refer to the Attorney General's Office for a public reprimand to include a fine of \$500 for Action in Another Jurisdiction and a fine of \$500 for Failure to Disclose. Floyd seconded the motion and it carried unanimously.

RNI190975 – Bryant noted that the licensee had not complied with the May 2019 MPE order and moved to notify licensee that MPE must be submitted within 30 days. Pipkin seconded the motion and it carried unanimously.

RNI150050 – Blalock moved to deny the request. Licensee must have eighteen months of sobriety and 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 and completion of standard practice requirements. Floyd seconded the motion and it carried unanimously.

RNI200001 – Bryant moved to refer to the Attorney General's Office for a summary suspension. May petition to lift with an outpatient mental physical examination from a Board approved evaluator and a safe to practice statement. Results are to be reviewed by the Investigative Committee and the Legal/Discipline Nurse Consultant. Phipps seconded the motion and it carried unanimously.

RNI190917 – Fort 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 and completion of standard practice requirements. Table NLC application. Phipps seconded the motion and it carried unanimously.

RNI191087 – Bryant moved to table the application. Phipps seconded the motion and it carried unanimously.

RNI150748 – Phipps moved to refer to the Attorney General's Office to lift the suspension with a public consent order to include five (5) years probation, two (2) years narcotic restrictions, quarterly reports (self, employer, aftercare, psychotherapy, medication management), 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 \$500 for violation of past consent order. Fort seconded the motion and it carried unanimously.

RNI150994 – Bryant moved to approve the request to terminate the consent order. Phipps seconded the motion and it carried unanimously.

RNI200155 – Phipps moved to send the applicant a letter requesting an outpatient mental physical examination from a Board approved evaluator as a consideration of the application. Results are to be reviewed by the Investigative Committee and the Legal/Discipline Nurse Consultant. Floyd seconded the motion and it carried unanimously.

RNI200148 – Blalock moved to obtain a certified copy of the court disposition and refer to the Attorney General's Office for a mandatory three (3) month suspension. Table NLC application. Phipps seconded the motion and it carried unanimously.

RNI190284 – Bryant moved to close case with no disciplinary action. Pipkin seconded the motion and it carried unanimously.

LPNI190458 – Bryant moved to refer to the Attorney General's Office to reinstate license with a mandatory three (3) month suspension. Lift suspension with a public reprimand, a fine of \$500 for each count of Unprofessional Conduct, five (5) years probation, two (2) years quarterly reports (self, employer, aftercare, medication management), quarterly urine drug screenings, substance abuse stipulations, 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. Must submit final disposition of 2018 arrest within ten (10) days of adjudication. Phipps seconded the motion and it carried unanimously.

RNI200169 – Floyd moved to license upon receipt of evidence showing passing grades from minimum of three (3) credit hour courses with clinical component in pediatrics and maternal/infant nursing. Must be from an approved nursing education program. Blalock seconded the motion and it carried unanimously.

RNI191080 – Pipkin moved to deny licensure. Needs to complete IOP treatment and provide safe to practice statement. Fort seconded the motion and it carried unanimously.

RNI191412 – Phipps moved to refer to the Attorney General's Office for a private consent order for five (5) years monitoring,, quarterly reports (self, employer, aftercare, psychotherapy-addictionologist), 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 and Understanding Substance Use Disorder in Nursing. Fort seconded the motion and it carried unanimously.

ATTORNEY GENERAL'S OFFICE

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

RNI191229 – Floyd moved to close the case with no disciplinary action. Phipps seconded the motion and it carried unanimously.

RNI191429 – Phipps moved to close the case with no disciplinary action. Thompson seconded the motion and it carried unanimously.

RNI170626 – Phipps moved to close the case. Blalock seconded the motion and it carried unanimously.

RNI181209 - Phipps moved to rescind the previous motion and to close the case with a Letter of Concern (Failure to Disclose). Fort seconded the motion and it carried unanimously.

RNI181227 – Phipps moved to uphold the previous motion. Fort seconded the motion and it carried unanimously.

RNI180197 – Pipkin moved to rescind the previous motion and accept the order as presented. Phipps seconded the motion and it carried unanimously.

RNI190735 – Bryant moved to amend to two (2) years monitoring. All other terms the same. Pipkin seconded the motion and it carried unanimously.

RNI191154 – Bryant moved to close the case. Pipkin seconded the motion and it carried unanimously.

LPNI190649 – Phipps moved to close the case. Thompson seconded the motion and it carried unanimously.

LPNI190547 - Phipps moved to close the case. Thompson seconded the motion and it carried unanimously.

PROBATION TERMINATIONS BETWEEN MEETINGS

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

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

RNI241070	RNI124897	RNI164107	RNI063791	RNI122666	RNI151300	RNI095890
RNI160277	RNI098217	RNI222531	LPNI050243			

Fort seconded the motion and it carried unanimously.

INVESTIGATIVE COMMITTEE A 08/01/2019

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

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

RNI191233	RNI191460	RNI191303	RNI190024	RNI191459	LPNI180321	RNI181133
LPNI180056	RNI180123	RNI180645	RNI181297	RNI190258	RNI190122	RNI191481
RNI191496	RNI191145	RNI180837	RNI181837	RNI180505	RNI191473	RNI200113
LPNI190023	LPNI190313	LPNI190313	LPNI200032	RNI190959	RNI190972	RNI190999
RNI191160	RNI191214	RNI191174	RNI191320	RNI181171	RNI150769	

Phipps seconded the motion and it carried unanimously.

INVESTIGATIVE COMMITTEE B 07/25/2019

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

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

RNI191254	RNI190982	RNI191290	RNI191322	LPNI190013	LPNI190829	RNI181348
RNI191432	LPNI160277	RNI190792	RNI191434	RNI191189	LPNI100271	LPNI180338
RNI180309 (PW)	RNI180309 (AC)	RNI180309 (CJ)	LPNI200021	RNI190461	RNI191094	LPNI160218
RNI190196	RNI190055	RNI200029	RNI190166	RNI181127	RNI191412	RNI200060
RNI191307						

Thompson seconded the motion and it carried unanimously.

REQUEST TO CHANGE AFTERCARE GROUPS

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

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

RECOMMENDED ACTION	
RN128274	Change aftercare group
RN196187	Change aftercare group

Blalock 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)

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

CASE NUMBER	RECOMMENDED ACTION
RNI170650	Lift narcotics restriction
RNI130568	Lift narcotics restriction
RNI170408	Lift narcotics restriction

Bryant seconded the motion and it carried unanimously.

VOLUNTARY SURRENDER

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

Fort moved to accept the voluntary surrender of the licenses listed below:

RN083105	RN189434
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Phipps 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)

Pipkin 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.

RNI200114 RNI200151 RNI200183 LPNI200085 RNI200115

Bryant 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)

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

**RNI200043 RNI200065 RNI200088 RNI200150 LPNI200028 LPNI200037 LPNI200056
LPNI200083**

Pipkin seconded the motion and it carried unanimously.

APPROVAL OF BOARD MINUTES

Bryant moved to accept the July 10-12, 2019 Executive Session meeting minutes as presented. Thompson seconded the motion and it carried unanimously.

Pipkin moved to accept the July 10-12, 2019 Open Session meeting minutes as presented. Phipps seconded the motion and it carried unanimously.

Thompson moved to accept the August 1, 2019 Investigative Committee A meeting minutes as presented. Pipkin seconded the motion and it carried unanimously.

Phipps moved to accept the July 25, 2019 Investigative Committee B meeting minutes as presented. Bryant seconded the motion and it carried unanimously.

EDUCATION REPORT

Gallogly provided an overview of the recent reports for Herzing University. The program has consistently been noncompliant with Board Rule 410-8-.09.

Herzing University		
Year	Pass Rate	Writers
2015	43.75	14/32
2016	57.14	12/21
2017	64.29	9/14
2018	77.42	24/31
2019 YTD	67.50	27/40

Phipps noted that Herzing University was currently on conditional approval for noncompliance in accordance with Board Rule 410-8-.02(3) and moved that, unless the program was compliant with all board rules, program approval would be withdrawn effective July 1, 2020 in accordance with Board Rule 410-8-.02(5). Fort seconded the motion and it carried unanimously.

Gallogly provided an overview of the recent reports for Truett McConnell University. The program has consistently been noncompliant with Board Rule 410-8-.09.

Truett McConnell University		
Year	Pass Rate	Writers
2015	55.17	16/29
2016	37.50	6/16
2017	60.87	14/23
2018	54.55	12/22
2019 YTD	50.00	8/16

Floyd noted that Truett McConnell University was currently on conditional approval for noncompliance in accordance with Board Rule 410-8-.02(3) and moved that, unless the program was compliant with all board rules, program approval would be withdrawn effective July 1, 2020 in accordance with Board Rule 410-8-.02(5). Phipps seconded the motion and it carried unanimously.

PROPOSED ALTERNATIVE TO DISCIPLINE PROGRAM

Izlar provided an update regarding the exploration of creation of an alternative to discipline program.

ANNUAL BOARD SELF ASSESSMENT TOOL

Izlar noted that the FY2019 Self Assessment tool had been distributed to board members and requested that the information be returned by August 26 so that the report could be reviewed at the September 2019 meeting.

SCOPE OF PRACTICE DECISION TREE

Izlar provided information regarding the ongoing review of the scope of practice decision tree and noted that information was being compiled from other jurisdictions.


DISCIPLINE MATRIX


Izlar provided information regarding the development of a discipline matrix tool and noted that information was being compiled from other jurisdictions.

NURSING EDUCATION CONSULTANT

Cleghorn provided information regarding the recent resignation of Kim Hudson-Gallogly. He noted that he was working with the agency's Human Resources staff to have the job posted.

There being no further business, the meeting adjourned August 8, 2019 at 6:22 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.

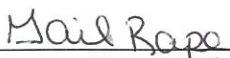
1. I am the presiding officer of the Georgia Board of Nursing.
2. I am over the age of 18 and in all other aspects competent to make this sworn statement. I acknowledge that I am giving this statement under oath and penalty of perjury and that I have read the contents of this affidavit prior to signing it.
3. On August 8, 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 8th day of August, 2019



Notary Public

**Gail Rape
NOTARY PUBLIC
Houston County, Georgia
My Commission Expires 5/20/2023**