

The Investigative Committee of the Georgia Board of Nursing met Thursday, September 26, 2019 via conference call at the Professional Licensing Boards Division of the Secretary of State located at 237 Coliseum Drive, Macon, Georgia 31217.

THURSDAY, SEPTEMBER 26, 2019

MEMBERS PRESENT

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

STAFF PRESENT

Jim Cleghorn, Executive Director
Janet Freeman, RN, BSN, Nursing Consultant – Legal/Discipline
Edey Tillman-Johnson, RN, BSN, Nursing Consultant – Legal/Discipline
Natara Miller, 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, September 26, 2019.

EXECUTIVE SESSION

Floyd moved, Phipps 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, September 26, 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.

LPNI190307 - Refer back to the Office of Inspector General for additional information.

LPNI190308 - Refer back to Office of Inspector General for additional information

LPNI190274 - Obtain the patient medical records and refer for a peer review.

RNI181374 - Refer to the Attorney General's Office for an indefinite suspension. May petition to lift once the suspension in South Carolina has been lifted and with a safe to practice statement. If the South Carolina suspension has already been lifted, refer to the Attorney General's Office for an outpatient mental physical examination.

LPNI190022 – Refer to the Attorney General's Office for public reprimand to include a fine of \$500 for Unprofessional Conduct, courses in Professional Accountability and Legal Liability for Nurses, Ethics and Professionalism in Nursing, Disciplinary Actions: What Every Nurse Should Know and Documentation: A Critical Aspect of Client Care.

LPNI180288 - Close the case with no disciplinary action.

LPNI180097 – Send an investigative letter requesting courses in: Professional Accountability and Legal Liability for Nurses, Disciplinary Actions: What Every Nurse Should Know, Righting a Wrong: Ethics and Professionalism in Nursing.

LPNI170417 – Send an investigative letter requesting courses in 1.) Professional Accountability and Legal Liability for Nurses, Jurisprudence – GA LPN, Resident’s Rights and Disciplinary Actions: What Every Nurse Should Know.

RNI190982 – Refer for an investigative interview.

RNI200224 – Refer to the Attorney General’s Office for a summary suspension.

LPNI190052 – Close with a Letter of Concern (Patient Abandonment).

LPNI200125 – Refer to the Attorney General’s Office for a private consent order to include a fine of \$500 for a Continuing Education violation.

LPNI190195 – 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, five hundred hours of licensed practice as a registered nurse as documented on the verification of employment form provided by the Board and documentation of completion of one of the five competency requirements as set forth in O.C.G.A. § 43-26-9 within two (2) years preceding the date of application for reinstatement, graduation from a nursing education program as defined in O.C.G.A. § 43-26-3(1.2) or completion of a Board approved reentry program as defined in Rule 410-4-03, deny the renewal.

LPNI190035 – Send an investigative letter with courses to include Professional Accountability and Legal Liability for Nurses, Documentation: A Critical Aspect of Client Care, Disciplinary Actions: What Every Nurse Should Know and Ethics of Nursing Practice.

RNI200149 – Send an investigative letter requesting courses in Professional Accountability and Legal Liability for Nurses, Disciplinary Actions: What Every Nurse Should Know, Medication Errors: Causes and Prevention, and Patient Rights and Responsibilities.

LPNI190597 – Refer to the Attorney General’s Office for a public reprimand to include a fine of \$300 for Action in Another Jurisdiction.

LPNI180084 – Refer to the Attorney General’s Office for a voluntary surrender or indefinite suspension. May lift the suspension with the submission of the deficient continuing education documents and a \$500 payment.

LPNI190179 - 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, five hundred hours of licensed practice as a registered nurse as documented on the verification of employment form provided by the Board and documentation of completion of one of the five competency requirements as set forth in O.C.G.A. § 43-26-9 within two (2) years preceding the date of application for reinstatement, graduation from a nursing education program as defined in O.C.G.A. § 43-26-3(1.2) or completion of a Board approved reentry program as defined in Rule 410-4-03, deny the renewal.

RNI190202 – Close the case with no disciplinary action.

RNI200274 – License upon completion of application.

RNI190770 – Refer to the Attorney General’s Office for a public consent order to include three (3) years probation, quarterly reports (self, employer, aftercare, psychotherapy), letter from addictionologist/therapist stating if residential rehab is needed within 30 days of docket date of consent order, Substance Abuse Stipulations, monthly PEth for 12 months, bimonthly urinary drug screenings throughout the order, standard work restrictions, courses in Understanding Substance Use Disorder in Nursing and Disciplinary Actions: What Every Nurse Should Know.

LPNI180183 - Refer for a peer review.

LPNI200136 – Refer for a peer review.

RNI200372 – Refer for a peer review.

LPNI180279 – Refer to the Attorney General's Office for a public reprimand to include a fine of \$500 for Patient Abandonment, a fine of \$500 for Failure to Disclose (2018 arrest/conviction), and a fine of \$500 for Failure to Disclose (arrests/convictions prior to licensure), two (2) years probation, quarterly reports (self, employer), standard work restrictions, and courses in Disciplinary Actions: What Every Nurse Should Know, Righting a Wrong: Ethics and Professionalism in Nursing and Jurisprudence GA LPN.

RNI200238 – Send a letter of modification with new sobriety date (next negative PEth test).

RNI200254 – Refer to the Attorney General's Office for a voluntary surrender/indefinite suspension. May petition to lift with submission of mental physical examination within 30 days of petition, five hundred hours of licensed practice as a registered nurse as documented on the verification of employment form provided by the Board and documentation of completion of one of the five competency requirements as set forth in O.C.G.A. § 43-26-9 within two (2) years preceding the date of application for reinstatement, graduation from a nursing education program as defined in O.C.G.A. § 43-26-3(1.2) or completion of a Board approved reentry program as defined in Rule 410-4-03.

LPNI200103 – Refer to the Attorney General's Office for a public consent agreement to include a fine of \$500 for Failure to Disclose.

LPNI170398 – Refer to the Attorney General's Office for a voluntary surrender/indefinite suspension. May petition to lift with one (1) quarter compliance of consent order, payment of fine, and completion of coursework. Include standard practice language.

RNI200050 – Close the case with no disciplinary action.

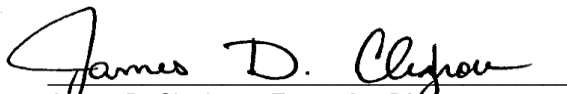
RNI170835 – Refer to the Attorney General's Office for a public reprimand and a two (2) fines of \$500 for Unprofessional Conduct (1) positive marijuana test at work and 2) giving friend controlled substances), two (2) years probation, quarterly reports (self, employer), quarterly urine drug screenings, substance abuse stipulations, standard work restrictions and courses in Disciplinary Actions: What Every Nurse Should Know, Righting a Wrong: Ethics and Professionalism in Nursing, Understanding Substance Use Disorder in Nursing, and Engaging in the Nursing Scope and Standards.

RNI190168 – Close the case with a Letter of Concern (Action in Another Jurisdiction).

RNI180594 – Refer to the Attorney General's Office for a public reprimand to include a fine of \$500 for Drug Diversion, five (5) years probation, two (2) years narcotic restrictions, quarterly reports (self, employer, aftercare, psychotherapy – addictionologist (monthly appt.)), Substance Abuse Stipulations quarterly hair follicle testing (Hairstat 10) for 24 months, quarterly urine drug screenings throughout order, 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 seconded the motion and it carried unanimously.

There being no further business, the meeting adjourned Thursday, September 26, 2019 at 4:50 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 September 26, 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 26th day of September, 2019



Notary Public

