

The Investigative Committee of the Georgia Board of Nursing met Thursday, October 3, 2019 via conference call at the Professional Licensing Boards Division of the Secretary of State located at 237 Coliseum Drive, Macon, Georgia 31217.

THURSDAY, OCTOBER 3, 2019

MEMBERS PRESENT

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

MEMBERS ABSENT

Irene Cordell, RN
Tina Fletcher, LPN

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, October 3, 2019.

EXECUTIVE SESSION

Train moved, Thompson 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, October 3, 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.

RNI191114 – Refer for an Investigative Interview.

RNI190998 – 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.

RNI200408 – Close the case with no disciplinary action.

RNI190040 – Close the case with a Letter of Concern (Unprofessional Conduct).

RNI200409 – Refer to the Attorney General’s Office for a private consent order to include a fine of \$500 for continuing education violation.

LPNI180393 – Close the case with no disciplinary action.

RNI181300 (JW) – Obtain statement from physician regarding access to records; query PDMP, refer for a peer review.

RNI181300 (JB) – Close the case with no disciplinary action.

RNI200139 – Close the case with no disciplinary action.

LPNI190583 – Close the case with a Letter of Concern (Unprofessional Conduct).

RNI190248 – Send an investigative letter requesting courses in Professional Accountability and Legal Liability for Nurses, Disciplinary Action: What Every Nurse Should Know, Narcotic Drugs: Handling and Documentation, and Documentation: Accurate and Legal.

RNI200272 – Refer to the Attorney General's Office for a private consent order to include a fine of \$500.00 fine for continuing education violation. Fletcher abstained.

LPNI190441 – Close the case with a Letter of Concern (Unprofessional Conduct).

RNI200047 – Refer to Office of Civil Rights for a HIPAA violation, close case with a Letter of Concern (Unprofessional Conduct).

LPNI190162 – Send an investigative letter requesting courses in Professional Accountability and Legal Liability for Nurses, Disciplinary Actions: What Every Nurse Should Know, Resident's Rights, and Difficult or Challenging? Dealing with Patients.

LPNI190221 – Close the case with a Letter of Concern (Failure to Disclose).

RNI190347 – Refer to the Attorney General's Office for a public reprimand to include a fine of \$500 for Unprofessional Conduct and courses in Professional Accountability and Legal Liability for Nurses, Disciplinary Action: What Every Nurse Should Know, Documentation: Accurate and Legal, and Professional Wrongdoing: Reconciliation and Recovery.

RNI190991 – 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).

RNI181200 – Refer to the Attorney General's Office for a public reprimand to include a fine of \$500 for substandard care, patient negligence and fraudulent charges, courses in Professional Accountability and Legal Liability for Nurses, Disciplinary Actions: What Every Nurse Should Know, Documentation: A Critical Aspect of Client Care and Ethics of Nursing Practice.

RNI190353 – Refer to the Attorney General's Office for a public reprimand to include a fine of \$500 for impairment, five (5) years probation, quarterly reports (self, employer, aftercare), 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, Disciplinary Actions: What Every Nurse Should Know, Righting a Wrong: Ethics and Professionalism in Nursing. Inactivate multistate license.

RNI191498 – Refer to the Attorney General's Office for a public reprimand to include five (5) years probation, quarterly reports (self, employer, aftercare), substance abuse stipulations, quarterly hair follicle testing for 12 months (Hairstat 5), 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.

RNI191038 – Send an investigative letter with courses to include Sharpening Critical Thinking Skills, Documentation: A Critical Aspect of Client Care, Disciplinary Actions: What Every Nurse Should Know and Professional Accountability and Legal Liability for Nurses.

RNI200412 – Refer to the Attorney General's Office for a private consent order to include a fine of \$500 for a Continuing Education Violation.

LPNI190062 – Send an investigative letter with courses in Professional Accountability and Legal Liability for Nurses, Disciplinary Actions: What Every Nurse Should Know and Documentation: A Critical Aspect of Client Care.

LPNI200157 – 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.

RNI200445 – Deny reentry. Must have 12 months of practice without narcotic restrictions for approval for reentry for APRN. Blalock abstained.

RNI200366 – Reinstate license.

RNI181109 – Refer to the Attorney General's Office for a public reprimand to include five (5) years probation, quarterly reports (self, employer, aftercare, psychotherapy), Substance Abuse Stipulations, quarterly hair follicle testing Hair (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 and Righting a Wrong: Ethics and Professionalism in Nursing. Inactivate multistate license.

RNI191455 – 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, psychotherapy), Substance Abuse Stipulations, quarterly hair follicle testing (Hairstat 10) 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, and Righting a Wrong: Ethics and Professionalism in Nursing.

RNI200036 – If safe to practice statement has not been received, 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). If safe to practice statement is received, refer for a private consent order to include five (5) years monitoring, quarterly reports (self, employer, aftercare, psychotherapy), Substance Abuse Stipulations, monthly PEth for 24 months, quarterly urine drug screenings throughout order, standard work restrictions, courses in Understanding Substance Use Disorder in Nursing and Disciplinary Actions: What Every Nurse Should Know.

RNI190593 – Refer to the Attorney General's Office for a public reprimand to include a fine of \$500 for Unprofessional Conduct, five (5) years probation, quarterly reports (self, employer, aftercare), must have documentation of successful completion of treatment submitted within one (1) month of order start date, Substance Abuse Stipulations, monthly PEth for 12 months, quarterly urine drug screenings throughout 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.

RNI160898 – Refer to the Attorney General's Office for a voluntary surrender or indefinite suspension. May petition to lift with compliance of consent order for one quarter.

RNI200339 - Refer to the Attorney General's Office for a summary suspension.

RNI181292 – Refer to the Attorney General's Office for a public reprimand to include a fine of \$500 for impairment, five (5) years probation, quarterly reports (self, employer, aftercare), Substance Abuse Stipulations, quarterly hair follicle testing (Hairstat 5) for 12 months, quarterly urine drug screenings throughout 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. Inactivate multistate license.

RNI200016 – Deny the license. May reapply with documentation of completion of treatment for substance abuse.

Train seconded the motion and it carried unanimously.

There being no further business, the meeting adjourned Thursday, October 3, 2019 at 4:37 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 Oct 3, 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 Thompson
Presiding Officer

Sworn and subscribed before me
This 3rd day of October, 2019

Reneal L. Gray
Notary Public

