

The Investigative Committee of the Georgia Board of Nursing met Thursday, October 24, 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 24, 2019

MEMBERS PRESENT

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

MEMBERS ABSENT

Merry Fort, RN

STAFF PRESENT

Jim Cleghorn, Executive Director
Janet Freeman, RN, BSN, Nursing Consultant – Legal/Discipline
Edye Tillman-Johnson, RN, BSN, Nursing Consultant – Legal/Discipline
Natar 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, October 24, 2019.

EXECUTIVE SESSION

Floyd moved, Pipkin 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 24, 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.

RNI190443 – Table pending updated information regarding criminal case and DEA case.

LPNI190315 – Send an investigative letter requesting courses in Professional Accountability and Legal Liability for Nurses, Sharpening Critical Thinking Skills and Resident’s Rights.

LPNI200176 – Refer to the Attorney General’s Office for a fine of \$500 for a CE violation.

RNI191148 - Close the case with no disciplinary action.

LPNI190480 – Close the case with a Letter of Concern (Patient Abandonment).

RNI191312 – Close the case with no disciplinary action.

RNI200312 – 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.

RNI180886 – Send an investigative letter requesting courses in: Professional Accountability and Legal Liability for Nurses, Disciplinary Actions: What Every Nurse Should Know, Sharpening Critical Thinking Skills and To Air is Human: Care of the Patient With an Artificial Airway.

RNI191344 – Refer to the Attorney General's Office for a public reprimand to include a fine of \$500 for Unprofessional Conduct (writing medication orders without the authorization of the MD), courses in Professional Accountability and Legal Liability for Nurses, Disciplinary Actions: What Every Nurse Should Know and Sharpening Critical Thinking Skills.

RNI181333 – Refer to the Attorney General's Office for a public reprimand to include a fine of \$500 for substandard care, courses in Professional Accountability and Legal Liability for Nurses, Documentation: A Critical Aspect of Client Care, Sharpening Critical Thinking Skills and Disciplinary Actions: What Every Nurse Should Know.

LPNI190587 – Close the case with no disciplinary action.

LPNI190050 – Refer to the Attorney General's Office to reinstate license with a public consent agreement to include a fine of \$2,200 for 26 months of Unlicensed Practice.

LPNI170424 – Reinstate LPN license.

LPNI190466 – 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.

LPNI200159 – Refer to the Attorney General's Office for a private consent order to include a fine of \$500 for a CE violation.

LPNI190040 – Send an investigative letter requesting courses in Professional Accountability and Legal Liability for Nurses, Disciplinary Actions: What Every Nurse Should Know, Narcotic Drugs: Handling and Documentation, Documentation: A Critical Aspect of Client Care and Patient Rights and Responsibilities.

LPNI190041 – Send an investigative letter to include courses in Professional Accountability and Legal Liability for Nurses, Disciplinary Actions: What Every Nurse Should Know, Narcotic Drugs: Handling and Documentation, Documentation: A Critical Aspect of Client Care and Patient Rights and Responsibilities.

RNI191338 – Send an investigative letter requesting courses in Professional Accountability and Legal Liability for Nurses, Disciplinary Actions: What Every Nurse Should Know and Narcotic Drugs: Handling and Documentation.

RNI180564 - Refer to the Attorney General's Office a public reprimand to include a fine of \$500 for Unprofessional Conduct, two (2) years probation, quarterly reports (self, employer), standard work restrictions, courses to include Disciplinary Actions: What Every Nurse Should Know, Righting a Wrong: Ethics and Professionalism in Nursing and GA RN Jurisprudence.

RNI191111 – Refer to the Attorney General's Office for a public reprimand for a positive drug test at work. Must submit documentation of completed treatment (IOP or PHP) within 30 days of start date of order, five (5) years probation, quarterly reports (self, employer, aftercare, psychotherapy), substance abuse stipulations, monthly PEth for 12 months, quarterly urine drug screening throughout the order, standard work restrictions, courses in Disciplinary Actions: What Every Nurse Should Know, Righting a Wrong: Ethics and Professionalism in Nursing and Understanding Substance Use Disorder in Nursing. Inactivate multi-state license.

RNI200085 – Close the case with no disciplinary action.

RNI200468 – 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.

RNI190262 – Refer to the Attorney General’s Office for a public reprimand to include a fine of \$500 for Unprofessional Conduct, one (1) year probation, quarterly reports (self, employer), courses to include Disciplinary Actions: What Every Nurse Should Know, Righting a Wrong: Ethics and Professionalism in Nursing and Professional Boundaries in Nursing.

RNI200038 – Send a Letter of Concern (Failure to Disclose) order to employer and failure to submit quarterly reports.

LPNI170182 – Refer to the Attorney General’s Office for a voluntary surrender or indefinite suspension. May petition to lift with compliance of aftercare and consent order for one quarter and a fine of \$500 for violation of consent order. Standard practice language.

RNI180472 – Refer to the Attorney General’s Office for a voluntary surrender or indefinite suspension. May petition to lift with compliance of aftercare and consent order for one (1) quarter and a fine of \$500 for violation of consent order. Standard practice language.

LPNI200121 – Close the case with a Letter of Concern (Unprofessional Conduct).

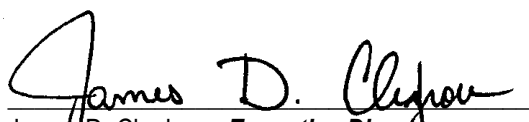
RNI200436 – Close the case with no disciplinary action.

LPNI190099 – Close the case with a Letter of Concern (Unprofessional Conduct).

RNI200474 – Send a Letter of Modification with new sobriety date (next negative PEth test result).

Pipkin seconded the motion and it carried unanimously.

There being no further business, the meeting adjourned Thursday, October 24, 2019 at 4:25 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 24, 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

Sammy Bryant
Presiding Officer

Sworn and subscribed before me
This 25th day of October, 2019

Gail Rape
Notary Public

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