

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, NOVEMBER 21, 2019

MEMBERS PRESENT

Darrell Thompson, RN, DNP, ACNP-BC, FNP-BC
Tracey Blalock, RN, MSN, MBA, NEA-BC
Holly Free, RN, MSN
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, November 21, 2019.

EXECUTIVE SESSION

Blalock moved, Train 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, November 21, 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)

Train moved to present the following recommendations to the Board.

RNI200467 – Post on imposter website. Refer to North Carolina Board of Nursing.

LPNI180056 – Refer to full board for discussion.

RNI180123 – Refer to full board for discussion.

LPNI190384 – Deny application based on action by Alabama Board of Nursing. May reapply with 12 months documented sobriety and an MPE with a safe to practice statement.

RNI170568 - 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.

RNI200616 – License upon successful completion of Board approved preceptorship.

RNI200453 – Close the case with a Letter of Concern (Unprofessional Conduct).

RNI200659 – Issue the license with a Letter of Concern (Criminal).

RNI200660 – 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.

RNI200158 – 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 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 a fine of \$500 for Failure to Disclose treatment on 2017 renewal.

RNI200355 – Obtain safe to practice statement. If not submitted within 30 days, 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.

LPNI200134 – 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.

RNI200023 – Refer to the Attorney General's Office for a public reprimand to include a fine of \$500 for violation of a consent order.

LPNI170202 – Refer to the Attorney General's Office for a public reprimand to include a fine of \$500 for diversion, five (5) years probation, two (2) years narcotic restrictions, must wean from Methadone within 3-6 months of start of order, quarterly reports (self, employer, aftercare, medication management), quarterly hair follicle testing for 12 months (Hairstat 10), quarterly urine drug screenings, substance abuse stipulations, standard work restrictions, courses in Understanding Substance Use Disorder in Nursing, Righting a Wrong: Ethics and Professionalism in Nursing, Disciplinary Actions: What Every Nurse Should Know and a fine of \$500 for Failure to Disclose treatment at renewal.

RNI191279 – Send a letter of modification with a new sobriety date of July 24, 2019.

RNI190729 – Refer to the Attorney General's Office for a public consent order to include five (5) years probation, quarterly reports (self, employer, aftercare), monthly PEth for 12 months, quarterly urine drug screenings, substance abuse stipulations, standard work restrictions, courses in Understanding Substance Use Disorder in Nursing, and Disciplinary Actions: What Every Nurse Should Know.

RNI181414/RNI190638 – Refer to the Attorney General's Office for a public reprimand to include two (2) \$500 fines for diversion (Fentanyl unaccounted for) and refusal to complete drug screen, as well as pulling and wasting controlled substances against protocol; two years probation, quarterly reports (self, employer), 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.

LPNI190103 – Send an investigative letter requesting courses in Professional Accountability and Legal Liability for Nurses, Disciplinary Actions: What Every Nurse Should Know, Ethics of Nursing Practice, Documentation: A Critical Aspect of Client Care and Medication Errors: Causes and Prevention.

LPNI190106 – Send an investigative letter requesting courses in Professional Accountability and Legal Liability for Nurses, Disciplinary Actions: What Every Nurse Should Know, Ethics of Nursing Practice, Documentation: A Critical Aspect of Client Care and Medication Errors: Causes and Prevention.

RNI200406 – Issue a Letter of Concern (Unprofessional Conduct).

RNI200588 – Refer to the Attorney General's Office for a private consent order to include a fine of \$500 for a CE violation.

LPNI190239 – 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.

LPNI190237 – 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.

RNI160320 – Refer to the Attorney General's Office for a fine of \$500 for violation of a consent order.

RNI200515 – Send a letter of modification with new sobriety date (next negative drug test).

RNI200057 – Accept the request to make license inactive.

RNI200518 – Close the case with no disciplinary action.

LPNI190121 – Close the case with no disciplinary action.

RNI191133 – 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.

RNI200589 – License by endorsement with a Letter of Concern (Arrests). Must submit a letter of successful completion of pretrial diversion agreement.

LPNI190490 – Close the case with no disciplinary action.

LPNI200200 – Refer to the Attorney General's Office for a fine of \$500 for a CE violation.

RNI200627 – Grant initial authorization to practice as an APRN.

Blalock seconded the motion and it carried unanimously.

There being no further business, the meeting adjourned Thursday, November 21, 2019 at 4:31 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 November 21, 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 21 day of November, 2019

Mail Rape
Notary Public

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