

The Investigative Committee of the Georgia Board of Nursing met Thursday, December 5, 2019 via conference call at the Professional Licensing Boards Division of the Secretary of State located at 237 Coliseum Drive, Macon, Georgia 31217.

THURSDAY, DECEMBER 5, 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
Edye 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, December 5, 2019.

EXECUTIVE SESSION

Pipkin moved, Floyd 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, December 5, 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)

Floyd moved to present the following recommendations to the Board.

RNI191277 – Refer to Investigations.

RNI200590 – Refer to the Attorney General’s Office for a private consent order to include a fine of \$500 for a CE violation.

LPNI190233 – Close the case with no disciplinary action.

LPNI190152/LPNI190271 – Refer to the Attorney General’s Office for a public reprimand to include a fine of \$1000 for Unprofessional Conduct, quarterly reports (personal, employer) for 12 months, courses in Professional Accountability and Legal Liability for Nurses, Narcotic Drugs: Handling and Documentation, Documentation: A Critical Aspect of Nursing Care, Ethics of Nursing Practice and Disciplinary Actions: What Every Nurse Should Know.

LPNI190177 – Send an investigative letter requesting courses in Sharpening Critical Thinking Skills, Professional Accountability and Legal Liability for Nurses and Disciplinary Actions: What Every Nurse Should Know.

RNI190384 – Send an investigative letter requesting courses in Ethics of Nursing Practice, Professional Accountability and Legal Liability for Nurses and Disciplinary Actions: What Every Nurse Should Know.

RNI190453 – Request safe to practice statement from Dr. Gaskin. If statement is not received within 14 business 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.

LPNI190436 – 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.

RNI191217 – Close the case with no disciplinary action.

RNI200676 – Send the applicant a letter requesting an outpatient mental physical examination from a Board approved evaluator as a consideration of the licensure needed for reentry. Results are to be reviewed by the Investigative Committee and the Legal/Discipline Nurse Consultant.

RNI190604 – Refer to the Attorney General's Office for a public reprimand to include a fine of \$1000 for Unprofessional Conduct and courses in Professional Accountability and Legal Liability for Nurses, Disciplinary Actions: What Every Nurse Should Know, Sharpening Critical Thinking Skills and Documentation: A Critical Aspect of Client Care.

RNI200657 – Close the case with no disciplinary action.

RNI190659 – Refer to the Attorney General's Office for a voluntary surrender or indefinite suspension. May petition to lift upon successful termination of her MN consent order.

RNI190898 – Refer to the Attorney General's Office for a public reprimand to include a fine of \$500 for Unprofessional Conduct (practicing outside the scope of practice), courses in Professional Accountability and Legal Liability for Nurses, Disciplinary Actions: What Every Nurse Should Know, Ethics of Nursing Practice, Risk Advisor for Advanced Practice Nurses: Know Your Risk for Legal Action, and two (2) years quarterly reports (self, employer).

RNI200678 – Close the case. Satisfied CE.

LPNI190203 – Table pending outcome of grand jury proceedings.

RNI200686 – Deny the application. May reapply upon completion of probationary period imposed by the Alabama Board of Nursing.

LPNI190457 – Send the applicant a letter requesting an outpatient mental physical examination from a Board approved evaluator as a consideration of the licensure needed for reentry. Results are to be reviewed by the Investigative Committee and the Legal/Discipline Nurse Consultant.

RNI191374 – Close the case with no disciplinary action.

LPNI190238 – Refer to the Attorney General's Office for a public reprimand to include a fine of \$500 for Unprofessional Conduct, courses in Disciplinary Actions: What Every Nurse Should Know, Righting a Wrong: Ethics and Professionalism in Nursing and Documentation: A Critical Aspect of Client Care.

LPNI190443 – Send an investigative letter requesting courses in Professional Accountability and Legal Liability for Nurses, Disciplinary Actions: What Every Nurse Should Know, Difficult or Challenging: Dealing with Patients and Resident's Rights.

RNI191273 – Refer to the Attorney General's Office for a public reprimand and a fine of \$500 for Unprofessional Conduct, quarterly reports for two (2) years (employer, personal), courses to include Professional Accountability and Legal Liability for Nurses,

Disciplinary Actions: What Every Nurse Should Know, Ethics of Nursing Practice, Jurisprudence – Georgia RN and Accurate and Legal Documentation.

RNI190909 - Refer to the Investigations to obtain facility investigation specifically pertaining to 10/26-27/2018 dates.

RNI200004 – Send letter of modification with new sobriety date of 10/23/19.

LPNI190516 – Refer to the Attorney General's Office for a voluntary surrender or indefinite suspension. May petition to lift with payment of \$500 fine, satisfaction of active practice requirements and completion of CE deficiency.

LPNI190496 – Refer to the Attorney General's Office for a voluntary surrender or indefinite suspension. May petition to lift with payment of fine of \$500 and satisfaction of active practice requirements.

LPNI130187 – Deny the request to lift work restrictions.

RNI171010 – 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, 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.

RNI200090 – Refer to the Attorney General's Office for a public consent order to include five (5) 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 and Disciplinary Actions: What Every Nurse Should Know.

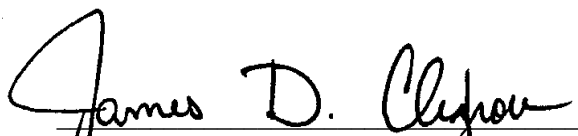
RNI170376 – Continue to monitor with current consent order and send letter of modification with new sobriety date.

RNI190110 – Refer to the Attorney General's Office for a public consent order to include a \$500 fine (refusal to drug screen), two (2) years probation, one (1) year narcotic restriction, quarterly reports (self, employer, aftercare), substance abuse stipulations, standard work restrictions, courses in Understanding Substance Use Disorder in Nursing, Disciplinary Actions: What Every Nurse Should Know.

RNI191306 – Amend the current consent order to a public consent order to include five (5) years probation, two (2) years narcotic restrictions, a fine of \$500 for violation of consent order, quarterly reports (self, employer, aftercare), substance abuse stipulations, quarterly hair follicle testing for 24 months, quarterly urine drug screenings, standard work restrictions, and a course in Disciplinary Actions: What Every Nurse Should Know.

Fort seconded the motion and it carried unanimously.

There being no further business, the meeting adjourned Thursday, December 5, 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 Dec 5, 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 5th day of December, 2019



Notary Public

