

The Georgia Board of Nursing met December 12, 2019 via telephone conference from the Professional Licensing Boards Division of the Georgia Secretary of State, located at 237 Coliseum Drive, Macon, Georgia 31217.

THURSDAY, DECEMBER 12, 2019

MEMBERS PRESENT

Janice Izlar, RN, CRNA, DNAP, President
Darrell Thompson, RN, DNP, ACNP-BC, FNP-BC, Vice President
Tracey Blalock, RN, MSN, MBA, NEA-BC
Tammy Bryant, RN, MSN
Fredetena (Tina) Fletcher, LPN
Linda Floyd, RN, EdD, PMHNP-BC
Merry Fort, RN
Holly Free, RN, MSN
Andrea Phipps, LPN
Jennifer Pipkin, RN, MSN, CRNA
Blair Train, Consumer Member

MEMBERS ABSENT

Irene Cordell, RN

STAFF PRESENT

Jim Cleghorn, Executive Director
Janet Freeman, RN, BSN, Nursing Consultant – Legal/Discipline
Edey Tillman-Johnson, RN, BSN, Nursing Consultant – Legal/Discipline
Tara Miller, RN, BSN, Nursing Consultant – Legal/Discipline
Kirsten Daughdril, JD, Assistant Attorney General
Mary Brannen, JD, Assistant Attorney General

Izlar called the meeting to order at 4:00 p.m. on Thursday, December 12, 2019. A quorum to conduct disciplinary matters was determined to exist.

EXECUTIVE SESSION

Phipps moved, Train seconded and the Board 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 cases and pending cases. The motion passed unanimously.

At the conclusion of the Executive Session on Thursday, December 12, 2019, Izlar 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.

CASE REVIEW (Legal and Discipline cases)

(RNI=Registered Nurse Investigative Case Number, LPNI=Licensed Practical Nurse Investigative Case Number)

RNI170089 – Phipps moved to refer to the Attorney General’s Office for revocation. Fletcher seconded the motion and it carried unanimously.

RNI191206 – Train moved to close the case with no disciplinary action. Fort seconded the motion and it carried unanimously.

RNI170933/RNI170940 – Fletcher moved to refer to the Attorney General’s Office for a public reprimand to include two (2) years quarterly reports (self, employer), courses in Ethics of Nursing Practice; Jurisprudence - GA RN; Disciplinary Actions: What Every Nurse Should Know; and Professional Accountability and Legal Liability for Nurses. Phipps seconded the motion and it carried unanimously.

RNI191313 – Phipps moved to close case with no disciplinary action. Pipkin seconded the motion and it carried unanimously.

RNI190859 - Fletcher moved to 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-.01(1)(d). Pipkin seconded the motion and it carried with Bryant abstaining.

RNI190890/RNI191215 – Train moved to 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-.01(1)(d). Blalock seconded the motion and it carried unanimously.

RNI200463 – Floyd moved to close the case with no disciplinary action. Blalock seconded the motion and it carried unanimously.

RNI191147 – Fletcher moved to refer for an investigative interview. Pipkin seconded the motion and it carried with Blalock abstaining.

LPNI190460 – Thompson moved to 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-.01(1)(d). Free seconded the motion and it carried unanimously.

LPNI200054 – Pipkin moved to refer to the Attorney General's Office for a public reprimand to include a fine of \$300 for Action in Another Jurisdiction. Fletcher seconded the motion and it carried unanimously.

RNI191341– Pipkin moved to 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-.01(1)(d). Train seconded the motion and it carried unanimously.

RNI200631 – Pipkin moved to close the case. Blalock seconded the motion and it carried unanimously.

RNI200709 – Fletcher moved to issue the license with a Letter of Concern (Alcohol). Fort seconded the motion and it carried unanimously.

LPNI180407– Phipps moved to refer to the Attorney General's Office to lift suspension with a public consent order to include four (4) years probation, two (2) years narcotic restriction, quarterly reports (self, employer, aftercare, psychotherapy, medication management), quarterly urine drug screening, courses in Understanding Substance Use Disorder in Nursing, Disciplinary Actions: What Every Nurse Should Know and Righting a Wrong: Ethics and professionalism in Nursing. Blalock seconded the motion and it carried unanimously.

RNI200208 – Phipps moved to require the licensee to remain under the terms and conditions of the current consent order. Send a Letter of Concern (Suboxone Use). Pipkin seconded the motion and it carried with Fort abstaining.

RNI190776 - Phipps moved to accept the request to work in home health. Fletcher seconded the motion and it carried unanimously.

RNI190938/RNI200708 – Pipkin moved to 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-.01(1)(d). Blalock seconded the motion and it carried with Floyd abstaining.

RNI200189 – Phipps moved to close with a Letter of Concern (Abandonment of Shift). Train seconded the motion and it carried unanimously.

RNI190676 – Phipps moved to 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-.01(1)(d). Pipkin seconded the motion and it carried unanimously.

RNI200036 – Pipkin moved to refer to the Attorney General's Office for a public consent order to include five (5) years probation, two (2) years narcotic restriction, quarterly reports (self, employer, aftercare, substance abuse stipulations, monthly PEth for twelve months, quarterly urine drug screenings, standard work restrictions, courses in Understanding Substance Use Disorder in Nursing and Disciplinary Actions: What Every Nurse Should Know. Blalock seconded the motion and it carried unanimously.

RNI191405 – Phipps moved to refer to the Attorney General's Office to license with a public consent agreement to include two (2) years probation, quarterly reports (self, employer, aftercare, psychotherapy), substance abuse stipulations, quarterly urine drug screenings, courses in Understanding Substance Use Disorder in Nursing and Disciplinary Actions: What Every Nurse Should Know. Fletcher seconded the motion and it carried unanimously.

RNI190299 – Blalock moved to refer to the Attorney General's Office for a public reprimand to include a fine of \$500 for Unprofessional Conduct, five (5) years probation, two years narcotic restriction, quarterly reports (self, employer, aftercare, psychotherapy, medication management), substance abuse stipulations, quarterly hair follicle testing for 24 months (Hairstat 10), 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. Train seconded the motion and it carried unanimously.

RNI200101 – Fletcher moved to 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-.01(1)(d). Phipps seconded the motion and it carried unanimously.

LPNI180056 – Blalock moved to refer to the Attorney General's Office to contact the facility attorney to enforce subpoena. Train seconded the motion and it carried unanimously.

RNI180123 – Fort moved to refer to the Attorney General's Office to contact the facility attorney to enforce subpoena. Pipkin seconded the motion and it carried unanimously.

RNI130608 – Phipps moved to release the application and investigative materials. Fletcher seconded the motion and it carried unanimously.

LPNI190452 – Fletcher moved to refer to the Attorney General's Office for a mandatory suspension for a minimum of three (3) months, may petition to lift with a mental physical examination from a Board approved evaluator. Phipps seconded the motion and it carried unanimously.

ATTORNEY GENERAL'S OFFICE

(RNI=Registered Nurse Investigative Case Number, LPNI=Licensed Practical Nurse Investigative Case Number)

RNI1200070 – Pipkin moved to send an investigative letter requesting courses in Understanding Substance Disorder in Nursing and Professional Accountability and Legal Liability for Nurses. Free seconded the motion and it carried unanimously.

RNI180101 – Phipps moved to rescind the previous motion. Accept signed order. Pipkin seconded the motion and it carried unanimously.

LPNI190151 – Phipps moved to rescind the previous motion and close the case. Fort seconded the motion and it carried unanimously.

RNI180964 – Phipps moved to remove fine, employer reports, and reduce probation period to one (1) year with PEth throughout probation. All other terms remain the same. Pipkin seconded the motion and it carried unanimously.

LPNI180095 – Phipps moved to close the case with a Letter of Concern. Fort seconded the motion and it carried unanimously.

PRESCRIPTION DRUG MONITORING PROGRAM– Train moved to refer to the Attorney General’s office to rescind all disciplinary actions. No refund can be granted per Georgia law. Pipkin seconded the motion and it carried unanimously.

PROBATION TERMINATIONS BETWEEN MEETINGS

(RNI=Registered Nurse Investigative Case Number) (LPNI = Licensed Practical Nurse Investigative Case Number)

Phipps moved to accept the following terminations of probation between meetings.

RN284876 RNI190632 LPNI150576 RN169582 RNI150575 RN059263 RNI140572
LPNI170135 RNI160899

Train seconded the motion and it carried unanimously.

INVESTIGATIVE COMMITTEE A 11/21/2019

(RNI=Registered Nurse Investigative Case Number, LPNI=Licensed Practical Nurse Investigative Case Number)

Phipps moved to ratify the following cases from the investigative committee meeting:

RNI200467 LPNI180056 RNI180123 LPNI190384 RNI170568 RNI200616 RNI200453
RNI200659 RNI200660 RNI200158 RNI200355 LPNI200134 RNI200023 LPNI170202
RNI191279 RNI181414 RNI190638 LPNI190103 LPNI190106 RNI200406 RNI200588
LPNI190239 LPNI190237 RNI160320 RNI200515 RNI200057 RNI200518 LPNI190121
RNI191133 RNI200589 LPNI190490 LPNI200200 RNI200627

Blalock seconded the motion and it carried unanimously.

INVESTIGATIVE COMMITTEE A 12/05/2019

(RNI=Registered Nurse Investigative Case Number, LPNI=Licensed Practical Nurse Investigative Case Number)

Phipps moved to ratify the following cases from the investigative committee meeting:

RNI191277 RNI200590 LPNI190233 LPNI190152 LPNI190271 LPNI190177 RNI190384
RNI190453 LPNI190436 RNI191217 RNI200676 RNI190604 RNI200657 RNI190659
RNI190898 RNI200678 LPNI190203 RNI200686 LPNI190457 RNI191374 LPNI190238
LPNI190443 RNI191273 RNI190909 RNI200004 LPNI190516 LPNI190496 LPNI130187
RNI171010 RNI200090 RNI170376 RNI190110 RNI191306

Pipkin seconded the motion and it carried unanimously.

REQUEST TO CHANGE AFTERCARE GROUPS

(RNI=Registered Nurse Investigative Case Number, LPNI=Licensed Practical Nurse Investigative Case Number)

Pipkin moved to accept the following recommendations for the cases listed below:

RECOMMENDED ACTION	
RN120788	Change aftercare group
RN202772	Change aftercare group

Phipps seconded the motion and it carried unanimously.

REQUEST TO LIFT NARCOTIC RESTRICTIONS

(RNI=Registered Nurse Investigative Case Number, LPNI=Licensed Practical Nurse Investigative Case Number)

Thompson moved to accept the following recommendations for the cases listed below:

CASE NUMBER	RECOMMENDED ACTION
RNI160964	Lift narcotics restriction
RN211750	Lift narcotics restriction
RN231679	Lift narcotics restriction
RN213498	Lift narcotics restriction
RN194011	Lift narcotics restriction
RN123065	Lift narcotics restriction

Fort seconded the motion and it carried unanimously.

VOLUNTARY SURRENDER

(LPNI = Licensed Practical Nurse Investigative Case Number) (RNI=Registered Nurse Investigative Case Number)

Phipps moved to accept the voluntary surrender of the licenses listed below:

RNI190975 RNI190944 LPNI190693 RNI160898 RNI190026

Blalock seconded the motion and it carried unanimously.

PRIVATE CONSENT AGREEMENTS FOR FAILURE TO DISCLOSE

(RNI=Registered Nurse Investigative Case Number, LPNI=Licensed Practical Nurse Investigative Case Number)

Phipps moved to ratify the Private Consent Agreements for licensure with a fine for failure to disclose arrest(s)/disciplinary action on applications that were issued according to the Board's policies.

RNI200655 RNI200663 RNI200715

Thompson seconded the motion and it carried unanimously.

CONSENT AGREEMENTS FOR UNLICENSED AND UNAUTHORIZED PRACTICE

(RNI=Registered Nurse Investigative Case Number, LPNI=Licensed Practical Nurse Investigative Case Number)

Pipkin moved to ratify the Public and Private Consent Agreements for unlicensed/unauthorized practice that were issued according to the Board's policies.

RNI200685 RNI200687 RNI200695 RNI200698

Floyd seconded the motion and it carried unanimously.

APPROVAL OF BOARD MINUTES

Phipps moved to accept the November 6-8, 2019 Open Session meeting minutes as presented. Pipkin seconded the motion and it carried unanimously.

Phipps moved to accept the November 6-8, 2019 Executive Session meeting minutes as presented. Pipkin seconded the motion and it carried unanimously.

Pipkin moved to accept the November 27, 2019 Executive Session Teleconference meeting minutes as presented. Fort seconded the motion and it carried unanimously.

Fletcher moved to accept the November 21, 2019 Investigative Committee A meeting minutes as presented. Phipps seconded the motion and it carried unanimously.

Pipkin moved to accept the December 5, 2019 Investigative Committee B meeting minutes as presented. Blalock seconded the motion and it carried unanimously.

Pipkin moved to accept the November 27, 2019 Teleconference meeting minutes as presented. Train seconded the motion and it carried unanimously.

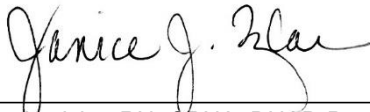
PETITION FOR RULE VARIANCE OR WAIVER – NOA DANIELLE CUPERFAIN – 410-2-.01/410-2-.03

The Board considered a petition for waiver or variance of Board Rules 410-2-.01 and 410-2-.03 for Noa Danielle Cuperfain.

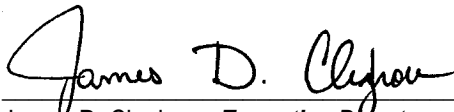
The two rules exist to provide guidelines for the application process for licensure by examination for graduates of Board approved programs (410-2-.01) and graduates of international nursing education programs (410-2-.03). For applicants for licensure who were graduates of nursing education programs located outside of the United States, Georgia law requires the Board to determine if the education is equivalent to and not less stringent than an approved nursing education program as defined in O.C.G.A. § 43-26-3. The Board utilizes the credentials evaluation report to fulfill this statutory requirement.

Floyd moved to deny the petition for rule waiver. The Board is unable to grant a waiver for the statutory requirements of O.C.G.A. § 43-26-3. Phipps seconded the motion and it carried unanimously.

There being no further business, the meeting adjourned December 12, 2019 at 5:28 p.m.



Janice Izlar, RN, CRNA, DNAP **President**



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 December 12, 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

Jamie Z. Lee
Presiding Officer

Sworn and subscribed before me
This 12th day of December, 2019

Renae L. Gray
Notary Public

