

The Investigative Committee B of the Georgia Board of Nursing met Thursday, March 26, 2020 via conference call at the Professional Licensing Boards Division of the Secretary of State located at 237 Coliseum Drive, Macon, Georgia 31217.

## **THURSDAY, MARCH 26, 2020**

### **MEMBERS PRESENT**

Tammy Bryant, RN, SN, MBA, NEA-BC  
K. Andrea Phipps, LPN  
Merry Fort, RN, BS  
Ashlan Porter, RN  
Jennifer Pipkin, RN, MSN, CRNA

### **STAFF PRESENT**

Jim Cleghorn, Executive Director  
Janet Freeman, RN, BSN, Nursing Consultant – Legal/Discipline  
Edey 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, March 26, 2020.

### **EXECUTIVE SESSION**

Fort moved, Phipps 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, March 26, 2020, 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.

**RNI200229** – 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 and proof of standard practice requirements.

**RNI200801** – Refer to Investigations.

**RNI200270/RNI200460** – 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 and proof of standard practice requirements.

**RNI200281** – 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 and proof of standard practice requirements.

**RNI201109** – Close the case with no disciplinary action.

**LPNI200132** – Refer for peer review.

**LPNI200135** – Close the case with no disciplinary action.

**RNI200430** – 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 and proof of standard practice requirements.

**RNI200328** – 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 and proof of standard practice requirements.

**LPNI200119** – Refer for peer review.

**RNI191277** – Close case with letter of concern (Criminal).

**RNI200356** – Close case with no disciplinary action.

**RNI200503** – Close case letter of concern (Unprofessional Conduct)

**RNI201055** – Refer to the Attorney General's Office for Private Consent Order with \$500.00 fine for Continuing Education violation.

**RNI201162** – Table application for multistate licensure and 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 and proof of standard practice requirements. Refer Public Order for falsification of renewal and \$500.00 fine. After outpatient mental physical examination received, proceed with Multistate-License if outpatient mental physical examination is clear.

**RNI201161** – Issue license with letter of concern (Alcohol).

**RNI201030** – 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 and proof of standard practice requirements.

**RNI201115** – Close the case with no disciplinary action.

**RNI190948** – Refer to Investigations.

**RNI190770** – Send letter of modification with new sobriety date.

**RNI201054** – Refer to the Attorney General's Office for a public consent order, five (5) years probation, quarterly reports (self, employer, aftercare and psychotherapy), substance abuse stipulations, standard work restrictions, monthly PEth for 12 months, quarterly urine drug screens throughout the order, courses in Understanding Substance Use Disorder in Nursing, and Disciplinary Actions: What Every Nurse Should Know.

**RNI200869** – 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 and proof of standard practice requirements.

**RNI201280** – Refer to the Attorney General's Office for Private consent order with \$500.00 fine for Continuing Education violation.

**LPNI200315** – Refer to staff to request an applicant outpatient mental physical examination from a Board approved evaluator. Results are to be reviewed by the Investigative Committee and the Legal/Discipline Nurse Consultant.

**RNI200782** – Reinstate license.

**RNI201091** – Close case with a letter of concern (positive alcohol test).

**RNI201094** – Refer to the Attorney General's Office for a public consent agreement to lift suspension of license, with completion of a Board approved reentry program, five (5) years probation, two (2) years narcotic restrictions, quarterly reports (self, employer, aftercare and psychotherapy), must submit completed Intensive Outpatient Program records within thirty days, substance abuse stipulations, quarterly hair follicle testing for twelve months (Hairstat 7), quarterly urine drug screens 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.

**RNI200424** - 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 and proof of standard practice requirements.

**RNI190835** – Lift suspension of license with Public consent order five (5) years probation, two (2) years narcotic restrictions, quarterly reports (self, employer, aftercare and psychotherapy), substance abuse stipulations, quarterly urine drug screens, quarterly hair follicle testing (Hairstat 14) for 12 twelve months, monthly Peth tests for twenty-four months, courses in Understanding Substance Use Disorder in Nursing, and Disciplinary Actions: What Every Nurse Should Know. Withdraw application for multistate license.

**RNI200934** – Close case with a letter of concern (positive THC test at work). Note that any future positive THC test may result in an outpatient mental physical examination from a Board approved evaluator.

**LPNI200079** – 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 and proof of standard practice requirements.

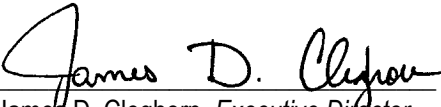
**LPNI200299** – Refer to the Attorney General's Office for a public consent order with a \$500.00 fine for Continuing Education violation.

**LPNI200165** – Close the case with no disciplinary action.

**LPNI200240** – Table pending updated information regarding criminal charges.

Phipps seconded the motion and it carried unanimously.

There being no further business, the meeting adjourned Thursday, March 26, 2020 at 4:33 p.m.

  
James D. Cleghorn, Executive Director

STATE OF GEORGIA

COUNTY OF BIBB

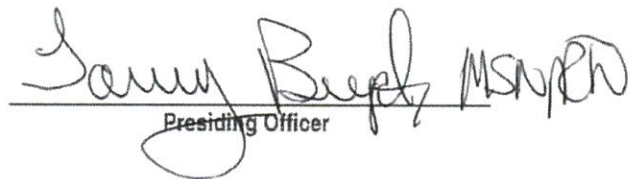
**AFFIDAVIT SUPPORTING CLOSING OF  
PUBLIC MEETING**

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 March 26, 2020 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

  
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Presiding Officer

Sworn and subscribed before me  
This 26th day of March, 2020.

  
\_\_\_\_\_  
Notary Public

