

The Investigative Committee A of the Georgia Board of Nursing met Thursday, April 22, 2021 via conference call at the Professional Licensing Boards Division of the Secretary of State located at 237 Coliseum Drive, Macon, Georgia 31217.

## **THURSDAY, APRIL 22, 2021**

### **MEMBERS PRESENT**

Ashlan Porter, RN  
Roger Pierce, RN  
Maceo Tanner, LPN

### **STAFF PRESENT**

Zelma Delgado, Executive Director, Georgia Board of Nursing, MSHS  
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  
Sandy Bailey, JD, Assistant Attorney General  
Kathy Winstead, Board Support Specialist

Porter called the meeting to order at 4:00 p.m. on Thursday, April 22, 2021.

### **EXECUTIVE SESSION**

Pierce moved, Tanner 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, April 22, 2021, Porter 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)

Tanner moved to present the following recommendations to the Board.

**RNI210762** – Refer to Attorney General’s Office for an outpatient mental physical examination from a Board approved evaluator, results to be reviewed by the Investigative Committee and the Legal/Discipline Nurse Consultant. If non-compliant, refer for a voluntary surrender or indefinite suspension. May petition to lift suspension with mental physical examination and standard practice requirements. Safe to practice statement practice language.

**RNI210442** – Refer to Attorney General’s Office to amend order (superseding) to include a stayed suspension. Public Consent order with five years probation, quarterly reports (self, employer, aftercare), substance abuse stipulations, standard work restrictions, Monthly PEth x 24 mos., quarterly urine drug screens throughout the order, stayed suspension language (positive drug test, noncompliance with aftercare, or another relapse may impose a suspension).

**LPNI210216** – Close with Letter of concern - failure to disclose.

**RNI210414** – Close case and refer complaint to Department of Public Health

**RNI210763** – Close case with no disciplinary action.

**RNI210554** – Refer to Attorney General’s Office for an outpatient mental physical examination from a Board approved evaluator, results to be reviewed by the Investigative Committee and the Legal/Discipline Nurse Consultant. If non-compliant, refer for a voluntary surrender or indefinite suspension. May petition to lift suspension with mental physical examination and standard practice

requirements. Safe to practice statement practice language.

**RNI211059** – Issue License by Endorsement with Letter of Concern -action in another jurisdiction

**RNI171108** – Deny request to lift suspension, needs to prove a period of sobriety for 24 months

**RNI210007**– Refer to Attorney General's Office for Public Reprimand, two years probation and 1 year of narcotic restrictions, quarterly reports (self, employer), \$500 fine for positive drug test at work, courses in Righting a Wrong: Ethics and Professionalism in Nursing, Disciplinary Actions: What Every Nurse Should Know, Substance Use in Nursing.

**LPNI200396** – Refer to Attorney General's Office for Public consent order with five years probation and 2 year of narcotic restrictions, quarterly reports (self, employer, aftercare, med management- methadone use), substance abuse stipulations, quarterly hair reports x 12 months (Hairstat 10), quarterly urine drug screens throughout the order, standard work restrictions, courses in Substance Use in Nursing, Righting a Wrong: Ethics and Professionalism in Nursing, Disciplinary Actions: What Every Nurse Should Know. Investigative Costs: \$519.02

**LPNI210085** – Refer to Attorney General's Office for Public Reprimand for impairment at work, \$500 fine, five years probation and 2 years of narcotic restrictions, quarterly reports (self, employer, aftercare), substance abuse stipulations quarterly hair reports (Hairstat 12) x 12 months, quarterly urine drug screens throughout the order, standard work restrictions, courses in Substance Use in Nursing, Righting A Wrong: Ethics and Professionalism in Nursing, Disciplinary Actions: What Every Nurse Should Know. Investigative Costs: \$192.48.

**LPNI210090** - Refer to Attorney General's Office for Private consent order, five years probation, quarterly reports (self, employer, aftercare), substance abuse stipulations, monthly PEth x 24 months, quarterly urine drug screens throughout the order, standard work restrictions, courses in Substance Use in Nursing, Disciplinary Actions: What Every Nurse Should Know.

**RNI210906** – Issue temporary license for reentry upon approval of reentry proposal and signed public consent agreement with 5 years probation, 2 years narcotic restrictions, quarterly reports (self, employer, aftercare), monthly urine drug screens throughout the agreement, quarterly HairStat 5 X12 months, substance abuse stipulations, standard work setting restrictions, courses in Understanding Substance use Disorder in Nursing and Disciplinary Actions: What Every Nurse Should Know.

**RNI210911** – Issue temporary license for reentry once program has been approved and receipt of a signed Consent Agreement with a public reprimand, \$1,000.00 fine for convictions, standard work restrictions and quarterly reports (self, employer) for 12 months.

**RNI210768**– Refer to Attorney General's Office for revocation.

**LPNI200367**– Refer to Attorney General's Office for an outpatient mental physical examination from a Board approved evaluator, results to be reviewed by the Investigative Committee and the Legal/Discipline Nurse Consultant. If non-compliant, refer for a voluntary surrender or indefinite suspension. May petition to lift suspension with mental physical examination and standard practice requirements. Safe to practice statement practice language.

**LPNI210054** – Refer to Attorney General's Office for an outpatient mental physical examination from a Board approved evaluator, results to be reviewed by the Investigative Committee and the Legal/Discipline Nurse Consultant. If non-compliant, refer for a voluntary surrender or indefinite suspension. May petition to lift suspension with mental physical examination and standard practice requirements. Safe to practice statement practice language

**LPNI210291** - With a board approved reentry proposal, issue temporary license for reentry with a signed public consent agreement to include quarterly reports (self, employer) X 24 months, standard work setting restrictions, courses in Professional Boundaries in Nursing, Ethics of Nursing Practice and Disciplinary Actions: What Every Nurse Should Know.

**RNI210232** - Close case with no disciplinary action

**LPNI200240** – Table pending outcome of criminal case. Advise Respondent's attorney to submit documentation regarding case closure, to include dismissal of charges as he anticipates, to the Board upon receipt.

**RNI210476**– Refer to Attorney General's Office for an outpatient mental physical examination from a Board approved

evaluator, results to be reviewed by the Investigative Committee and the Legal/Discipline Nurse Consultant. If non-compliant, refer for a voluntary surrender or indefinite suspension. May petition to lift suspension with mental physical examination and standard practice requirements. Safe to practice statement practice language, will need \$500.00 fine for failure to disclose treatment once results are reviewed.

**RNI211058** – License with a letter of concern -Alcohol (will need to send in final court disposition at resolution of case)

**RNI210641** – Refer to Attorney General's Office for Public consent order, five years probation, quarterly reports (self, employer, aftercare, psychotherapy), substance abuse stipulations, monthly PEth x 12 months, quarterly urine drug screens throughout the order, standard practice restrictions, courses in Substance Use in Nursing, Righting A Wrong: Ethics and Professionalism in Nursing, Disciplinary Actions: What Every Nurse Should Know. Deactivate multistate license.

**RNI210942** – Must complete an outpatient mental physical examination from a Board approved evaluator, results to be reviewed by the Investigative Committee and the Legal/Discipline Nurse Consultant, for consideration of license.

**RNI210397** – Refer to Attorney General's Office for Summary Suspension, may request to lift with an outpatient mental physical examination from a Board approved evaluator, results to be reviewed by the Investigative Committee and the Legal/Discipline Nurse Consultant and safe to practice statement.

Pierce seconded the motion and it carried unanimously.

There being no further business, the meeting adjourned Thursday, April 22, 2021 at 4:25 p.m.

*Ashlan D Porter*

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Ashlan Porter, **Board Member, RN**

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 April 22, 2021 IC(B) 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

*Ashlan D. Patten*

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Presiding Officer

Sworn and subscribed before me  
This 22nd day of April, 2021.

*Reneal L. Gray*  
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Notary Public

