

The Investigative Committee A of the Georgia Board of Nursing met Thursday, July 29, 2021 via conference call at the Professional Licensing Boards Division of the Secretary of State located at 237 Coliseum Drive, Macon, Georgia 31217.

THURSDAY, JULY 29, 2021

MEMBERS PRESENT

Merry Fort, BS, RN – Vice President
Darrell Thompson, RN, DNP, ACNP-BC, FNP-BC
Stephanie Dickerson, RN, BSN
Joshua Batson NP-C

STAFF PRESENT

Zelma Delgado, Executive Director, Georgia Board of Nursing
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, Assistant Attorney General
Alexis Cromartie, assistant Attorney General
Kathy Winstead, Board Support Specialist

Fort called the meeting to order at 4:00 p.m. on Thursday, July 29, 2021.

EXECUTIVE SESSION

Batson moved, Dickerson 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, July 29, 2021, Fort 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)

Thompson moved to present the following recommendations to the Board.

RNI211201 – Close case with no disciplinary action.

LPNI210362 – 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.

LPNI220006 – Close case, is now compliant.

LPNI210151 – Close case with no disciplinary action.

RNI211319 – Refer to Attorney General’s Office for to amend current Consent Order to include a stayed suspension (superseding order). Public Consent Order five years probation, quarterly reports (self, employer, aftercare, psychotherapy), standard work restrictions, monthly PEth x 24 mos, quarterly urine drug screens throughout the order, standard work restrictions, Stayed suspension.

RNI211156 – Send Investigative Letter with Courses to Include Professional Accountability and Legal Liability for Nurses, Disciplinary Actions: What Every Nurse Should Know, and Jurisprudence- Georgia RN

RNI201175

RNI200469 – Refer to Attorney General's Office for a voluntary surrender or indefinite suspension. May petition to lift with compliance of all terms of both Consent Orders.

RNI211185 – Close case. Continue to monitor through GNA aftercare

RNI210554 – Close case with Letter of Concern – positive preemployment drug test.

RNI201481 – Refer case back to Office Investigations to retrieve the MAR, physician orders, pyxis report and waste documentation related to the unaccounted-for Fentanyl.

RNI210513 – Refer to Attorney General's Office for Public Reprimand with \$500 fine for positive drug test at work, five years probation and five years of narcotic restrictions(as long as she remains on methadone therapy), quarterly reports (self, employer, aftercare, psychotherapy- addictionologist for methadone therapy), substance abuse stipulations, standard work restrictions, quarterly hair reports, Hair x 24 months (Hairstat 10) and after weekly/monthly urine drug screens throughout the order, courses in Substance Use in Nursing, Righting a Wrong: Ethics and Professionalism in Nursing, Disciplinary Actions: What Every Nurse Should Know Investigative Cost \$324.81, \$500 fine failure to disclose drug treatment on 2019 application.

RNI211115 – 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. With addictionologist.

RNI211174 – License with Public Consent Agreement, five years probation, quarterly reports (self, employer, aftercare, psychotherapy related to substance abuse), substance abuse stipulations, standard work restrictions, monthly PEth x 1yr, quarterly urine drug screens throughout the order, courses in Substance Use in Nursing, Disciplinary Actions: What Every Nurse Should Know.

RNI211232 – Close case with no disciplinary action.

LPNI210426 – Accept re-entry that was completed and issue license by reinstatement.

RNI210535 – Close case with no action.

LPNI210035 – Refer to Attorney General's Office for Public Consent Agreement with \$500.00 for unprofessional conduct (falsification of documentation), 1 year probation with quarterly reports (self and employer), courses to include Professional Accountability and Legal Liability for Nurses, Disciplinary Action What Every Nurse Should Know, Documentation Accurate and Legal. Not eligible for eNLC. (license will be encumbered) Fort Abstained

RNI210831 – Request Psychiatric/Mental Health MPE for lifting Suspension, the physician needs to be board certified Psychiatrist (send copy of Summary Suspension with MPE letter, it includes the findings of fact).

LPNI210182 – Send Investigative letter with courses in Professional Accountability and Legal Liability, and Disciplinary Actions: What Every Nurse Should Know.

RNI211198 – Refer to Attorney General's Office for Voluntary Surrender.

RNI220026 – Close complaint, continuing education documents received.

RNI210857 – Refer to Office of Investigations to obtain patient medical record and send out for peer review.

RNI211080 – Refer to Office of Investigations to obtain a copy of the patient's medical record during the time the surgery was performed and the record during the time the procedure was performed to remove a surgical sponge from her abdomen. Obtain a copy of the incident report from the facility. Refer records/report out for peer review.

RNI201470

RNI210876 - If safe statement is received from Dr. Bedi, refer to Attorney General's Office to amend current Consent Order to include a stayed suspension (superseding order). Public Consent Order five years probation, quarterly reports (self, employer, aftercare, psychotherapy), monthly PEth x 24 months, quarterly urine drug screens throughout the order, substance abuse stipulations, st. work restrictions, \$500 fine for violation of Consent Order. Allow 2 weeks to have safe statement from physician submitted and if not received refer for a voluntary surrender or indefinite suspension. May petition to lift with one quarter of compliance with current Consent Order and an MPE.

RNI220010 - 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 with MPE. Deny renewal, include standard practice requirements. Refer complaint to Office of Investigations to obtain incident report, facility investigation, witness statements (from the patients who were prescribed Phentermine but instead gave them to the respondent for personal use), and treatment records.

RNI220035 – Refer to Attorney General's Office for a Public Consent Agreement with three years monitoring, quarterly reports (self, employer, aftercare), substance abuse stipulations and random urine drug screens for duration of the agreement. Issue license upon receipt of signed consent agreement.

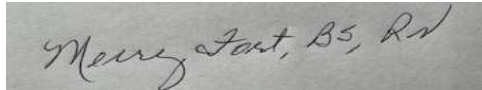
LPNI220029 - Reinstate license with Letter of Concern arrest. Inform Applicant she must submit final court disposition upon adjudication.

RNI220032 - Reinstate single state license with Letter of Concern arrest. Inform Applicant she must submit final court disposition upon adjudication.

RNI220031 - Refer to Attorney General's Office for Private Consent Agreement (with reprimand) with \$500 fine for failure to disclose an arrest. May issue single state license upon payment of fine.

Batson seconded the motion and it carried unanimously.

There being no further business, the meeting adjourned Thursday, July 29, 2021 at 4:37 p.m.



Merry Fort, **Vice President**

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.

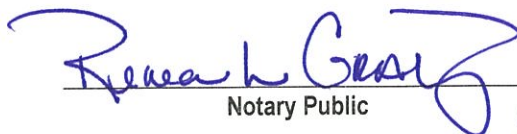
1. I am the presiding officer of the Georgia Board of Nursing.
2. I am over the age of 18 and in all other aspects competent to make this sworn statement. I acknowledge that I am giving this statement under oath and penalty of perjury and that I have read the contents of this affidavit prior to signing it.
3. On July 29 2021 IC(A) 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 29th day of July, 2021.



Notary Public

