

The Investigative Committee A of the Georgia Board of Nursing met Thursday, September 2, 2021 via conference call at the Professional Licensing Boards Division of the Secretary of State located at 237 Coliseum Drive, Macon, Georgia 31217.

THURSDAY, SEPTEMBER 2, 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
Candice Broce, JD, Consumer Member

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
Kathy Winstead, Board Support Specialist

Fort called the meeting to order at 4:00 p.m. on Thursday, September 2, 2021.

EXECUTIVE SESSION

Broce moved, Batson 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, September 2, 2021, Thompson 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)

Dickerson moved to present the following recommendations to the Board.

LPNI210606 – Send Investigative Letter for unprofessional conduct with courses to include Professional Accountability and Legal Liability for Nurses, Disciplinary Actions: What Every Nurse Should Know, Jurisprudence GA-LPN, and Ethics of Nursing Practice.

RNI220002 – Close case with no disciplinary action

LPNI210319 – 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, deny renewal and 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.

RNI210316 – Investigative Letter with courses to include Professional Accountability and Legal Liability for Nurses, Disciplinary Actions: What Every Nurse Should Know, and Medication Errors: Causes and Prevention.

RNI210340– Refer to Attorney General's Office for a Public Reprimand with a \$500 fine for unprofessional conduct and request courses in Professional Accountability and Legal Liability for Nurses, Ethics of Nursing Practice and 3.) Safety First: The Use of Restraints. Peer review cost: \$100.00 and Investigative cost: \$192.48

RNI220175 – Request applicant submit to a 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, for consideration of licensure.

RNI151119 – Refer to Attorney General's office for 12-month suspension for forging quarterly reports.

RNI220178 - After completion of reentry, issue license with Letter of Concern for action in another jurisdiction.

LPNI210215 – Refer to Attorney General's office for a Public Consent Order with five years probation, quarterly reports (self, employer, after care, psychotherapist-addiction counseling), substance abuse stipulations, standard work restrictions, monthly PEth x 24 months, quarterly urine drug screens throughout the order, courses in Substance Use in Nursing, Disciplinary Actions: What Every Nurse Should Know.

RNI211289 – 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, deny renewal and 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.

LPNI210601– Close case with a letter of concern for a positive drug screen.

RNI210285 – Investigative letter with courses in Sharpening Critical Thinking Skills, Medication Safety: Protecting Patients from Avoidable Harm and Professional Accountability and Legal Liability for Nurses.

RNI210912 – Refer to Attorney General's Office to Amend current Consent Order to include a stayed suspension (superseding order). Public Consent Order 5 years of sobriety, quarterly reports (self, employer, after care), substance abuse stipulations standard work restrictions, monthly PEth x 24mos, quarterly urine drug screens throughout the order, Stayed suspension language, \$500 fine for violation of Consent Order, course in Substance Use in Nursing, Disciplinary Actions: What Every Nurse Should Know.

RNI220180 – Issue License with Letter of Concern -Criminal, applicant will need to submit final disposition after adjudication.

RNI211294 – Refer to Attorney General's Office to Amend current Consent Order to include a stayed suspension (superseding order). Public Consent Order with five years probation and 2 years of narcotic restrictions, quarterly reports (self, employee, after care), substance abuse stipulations, quarterly Hair reports x 24mos, quarterly urine drug screens throughout the order, standard work restrictions, stayed suspension language, \$500 fine for violation of Consent Order.

RNI211300 – Refer to Attorney General's Office to Amend current Consent Order to include a stayed suspension (superseding order). Public Consent Order with five years probation and 2 years of narcotic restrictions quarterly reports (self, employer, aftercare, psychotherapy, medication management), monthly PEth x 12 months, quarterly Hair reports (Hairstat 14) x 12mos, standard work restrictions, stayed suspension language, \$500 fine for violation of Consent Order.

RNI211302 – Close case - continue to monitor with GNA aftercare

LPNI210098 – Table until entire Board & AG have opportunity to view video of incident – for full Board Meeting.

RNI220179 – 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, deny renewal and 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. Refer to Attorney General's Office for Private Consent Order with \$1500.00 fine for failure to disclose.

RNI210845 - Refer to Office of Investigations to obtain a copy of the medical record from Dr. Douglas Lundy to include Dr. Lundy's medical notes on or about September 8, 2017. Refer home health record and Dr. Lundy's medical notes for peer review upon receipt of documents.

RNI210751 – Close case with no action.

RNI211004– 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, deny renewal and 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. Table petition to terminate agreement pending review MPE by the Board.

RNI220177– Refer to Office of Investigations to obtain a Certified Court disposition from Clayton County. Fort abstained

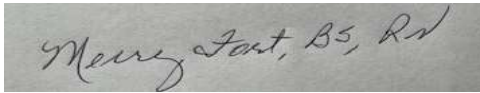
RNI211106– Rescind previous motion to close case. Refer to Attorney General's office for Private Consent Order with a fine of \$500 for failure to disclose 2019 arrest on her multistate application and \$500 fine for falsification of her 2020-22 renewal application. Issue multistate license upon receipt of fines in full.

LPNI210174 - Refer the complaint to DCH for investigation.

LPNI210379 - 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, deny renewal and 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.

Thompson seconded the motion and it carried unanimously.

There being no further business, the meeting adjourned Thursday, September 2, 2021 at 5:30 p.m.

A rectangular box containing a handwritten signature in cursive script that reads "Merry Fort, BS, RN".

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 September 2 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 21st day of September, 2021.



Notary Public

