

The Investigative Committee A of the Georgia Board of Nursing met Thursday, July 7, 2022 via conference call at the Professional Licensing Boards Division of the Secretary of State located at 237 Coliseum Drive, Macon, Georgia 31217.

## **THURSDAY, JULY 7, 2022**

### **MEMBERS PRESENT**

Merry Fort, RN, BS, Vice President  
Darrell Thompson, RN, DNP, ACNP-BC, FNP-BC  
Cynthia Summerlin, NP-C, DNP  
Joshua Batson, NP-C

### **STAFF PRESENT**

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  
Kimberly Emm, Assistant Attorney General  
Kathy Winstead, Board Support Specialist

Fort called the meeting to order at 4:01 p.m. on Thursday, July 7, 2022.

### **EXECUTIVE SESSION**

Batson moved, Summerlin 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 7, 2022, 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)

Thompson moved to present the following recommendations to the Board.

**RNI211167** – Refer to Attorney General’s Office for Public Consent Order with a Stayed suspension, five years’ probation with two years of narcotic restrictions, Public reprimand for drug diversion with a \$500 fine and \$500 fine for a positive drug test at work = \$1000, quarterly reports (self, employer, after care, psychotherapist), Substance Abuse Stipulations, quarterly hair reports Hairstat 7 x 24 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.

**RNI220408** – Refer to Attorney General’s Office for Private Consent Order with \$500.00 fine for Failure to Disclose an arrest on his 2022-2024 renewal (issue eNLC after payment of fine received)

**RNI170674** – Approve request to terminate Consent Order early.

**LPNI220259** – Allow Analyst to withdraw application and close case with no action.

**RNI221394** – License by endorsement.

**RNI221400** – Request a current letter from Dr. Klopfer indicating Applicant is safe to practice.

**LPNI220154** – Table for August full board – Executive Director to reach out to the facility for records of the diversion. Reach out to DEA to see if they have an open case.

**RNI180682** – Approve request to terminate Consent Order early.

**RNI220239** – Letter of Concern - Drug Screen refusal.

**RNI221387** – Close case, now compliant.

**RNI220047**– Send Investigative Letter with courses to include Professional Accountability and Legal Liability for Nurses, Disciplinary Actions: What Every Nurse Should Know, and Documentation: Accurate and Legal.

**RNI220544** – Send Investigative Letter with courses to include Professional Accountability and Legal Liability for Nurses, Disciplinary Actions: What Every Nurse Should Know, Narcotic Drugs: Handling and Documentation, and Jurisprudence – Georgia RN.

**RNI220929** – Letter of Concern -Unusual Drug Screens.

**RNI220921**– Refer complaint to Office of Civil Rights and send Investigative Letter with courses to include Professional Accountability and Legal Liability for Nurses, Disciplinary Actions: What Every Nurse Should Know, and HIPAA and Confidentiality.

**RNI220956** – Close case with no disciplinary action.

**RNI221407** – Issue single state license with Letter of Concern – Criminal.

**RNI211236** - Send Investigative Letter with courses in Substance Use in Nursing, Disciplinary Actions: What Every Nurse Should Know.

**RNI201511** – Close case with Letter of Concern – violation of Consent Order. Approve request to work for agency, must notify Board of Job changes.

**RNI220654** - Refer to Attorney General's Office for Public Consent Order, Reprimand and \$500 fine for positive drug test at work, three years' probation and two years of narcotic restrictions, quarterly reports (self, employer) Substance Abuse Stipulations, quarterly hair reports Hairstat 14 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. Applicable Investigative Costs.

**RNI200794** - Refer to Attorney General's Office for Public Consent Order, five years' probation, quarterly reports (self, employer, aftercare), Monthly PEth x 12mos, Monthly urine drug screens with EtG and EtS throughout order, Standard work restrictions, Substance Abuse Stipulations, courses in Substance Use in Nursing, Disciplinary Actions: What Every Nurse Should Know.

**RNI211117** – Board of Nursing Legal department to request Voluntary Surrender, if refused - Refer to Attorney General's Office for Psychosexual 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.

**RNI220439** – 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, for suspension of PTP if noncompliant, may petition to lift with MPE.

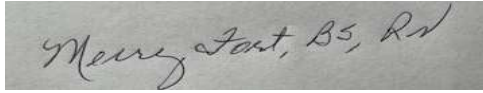
**RNI221406** – Request an applicant an outpatient mental physical examination from a Board approved evaluator, results to be reviewed by the Investigative Committee and the Legal/Discipline Nurse Consultant for consideration of endorsement application.

**RNI221410** – Close case with Letter of Concern for Failure to Disclose and issue RN single state license.

**RNI210864** – Refer to Attorney General's Office for Public Consent Order, Reprimand and \$500 fine for impairment while on call, three years' probation, quarterly reports (self, employer), courses in Substance Use in Nursing, Righting a Wrong: Ethics and Professionalism in Nursing, Disciplinary Actions: What Every Nurse Should Know.

Summerlin seconded the motion and it carried unanimously.

There being no further business, the meeting adjourned Thursday, July 7, 2022 at 4:43 p.m.

A rectangular image showing a handwritten signature in cursive script. The signature reads "Merry Fort, BS, RN".

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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.

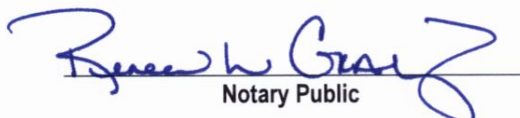
**Comes now the presiding officer identified below and, before an official duly authorized to administer oaths, makes this affidavit in satisfaction of the statutory requirements outlined above.**

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 7, 2022 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 7th day of July, 2022.

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

