

The Investigative Committee B of the Georgia Board of Nursing met Thursday, March 24, 2022 via conference call at the Professional Licensing Boards Division of the Secretary of State located at 237 Coliseum Drive, Macon, Georgia 31217.

THURSDAY, MARCH 24, 2022

MEMBERS PRESENT

Ashlan Porter, RN
K. Andrea Phipps, LPN
Maceo Tanner, RN
Roger Pierce, RN, MSN
Ryan Loke, Consumer Member

STAFF PRESENT

Zelma Delgado, Executive Director, Georgia Board of Nursing
Kirsten Daughdril, JD, Assistant Attorney General
Janet Freeman, RN, BSN, Nursing Consultant – Legal/Discipline
Natara Miller, RN, BSN, Nursing Consultant – Legal/Discipline
Edye Tillman-Johnson, RN, BSN, Nursing Consultant – Legal/Discipline
Kimberly Emm, Assistant Attorney General
Kathy Winstead, Board Support Specialist

Porter called the meeting to order at 4:03 p.m. on Thursday, March 24, 2022.

EXECUTIVE SESSION

Tanner 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 24, 2022, 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)

Pierce moved to present the following recommendations to the Board.

RNI211332 - Refer to 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 noncompliant voluntary surrender or indefinite suspension and deny renewal. May petition to lift with MPE and proof of standard practice requirement.MPE. Hold Multistate license pending MPE results – Allow to withdraw multistate application.

RNI220014 – Refer to Attorney General’s Office for a public reprimand with \$500 fine for Unprofessional Conduct, quarterly reports (self, employer) for 12 months for practicing outside the scope of practice. Request courses in Professional Accountability and Legal Liability for Nurses, Disciplinary Actions: What Every Nurse Should Know and Ethics of Nursing Practice. Investigative costs as applicable.

RNI220073 - Refer to Office of Investigations to obtain patient medical records and send out for peer review.

RNI220081– Table until it is confirmed Respondent is cooperating with law enforcement to prosecute this case. Close case with no action upon confirmation.

RNI220106 - Refer to Attorney General's Office for a public reprimand and \$500 fine for Unprofessional Conduct – refusing to provide report on patients. Request course in Professional Accountability and Legal Liability for Nurses, Ethics of Nursing Practice and Disciplinary Actions: What Every Nurse Should Know. Investigative costs as applicable.

RNI220230 – Close with Letter of Concern - Unprofessional Conduct.

RNI220334– Close case with no disciplinary action

RNI220221 – Close with Letter of Concern - Unprofessional Conduct.

RNI220092 – Refer to 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 noncompliant voluntary surrender or indefinite suspension and deny renewal. May petition to lift with MPE and proof of standard practice requirement.

RNI220092 – Refer to Attorney General's Office for Private Consent Order with \$500.00 fine for Continuing Education violation, include investigative cost if applicable.

RNI220992 – Issue single state GA license with Letter of Concern – Action in another jurisdiction.

LPNI220167– Close case with Letter of Concern - Failure to Disclose and issue eNLC.

RNI220836 – Close case with no disciplinary action.

RNI220677– Refer to Attorney General's Office for Public Consent Order with five years' probation and \$500 fine for positive drug test at work, quarterly reports (self, employer, after care, psychotherapy), Standard work restrictions, Substance Abuse Stipulations, Monthly PEth x 24 months, quarterly hair reports (Hairstat 5) x 12 months, quarterly urine drug screens throughout the order, courses in Righting a Wrong: Ethics and Professionalism in Nursing, Disciplinary Actions: What Every Nurse Should Know, Substance Use in Nursing.

RNI220285 – Refer to Attorney General's Office for Public Consent Order with five years' probation, quarterly reports (self, employer, after care, psychotherapy-addictionologist), Standard work restrictions, Substance Abuse Stipulations, Monthly PEth x 24 months, quarterly urine drug screens throughout the order, courses in Disciplinary Actions: What Every Nurse Should Know, Substance Use in Nursing, Stayed suspension language

RNI220435 – Refer to Attorney General's Office to Reinstate license with a Public Consent Agreement five years' probation and 2 years of narcotic restrictions, quarterly reports (self, employer, after care, psychotherapy-addictionologist, medication management), Standard work restrictions along with no more than 40 hour work weeks, Substance Abuse Stipulations, quarterly hair reports (Hairstat 14) x 24 months, quarterly urine drug screens throughout the order, courses in Disciplinary Actions: What Every Nurse Should Know, Substance Use in Nursing.

RNI221009 – Issue single state license with Letter of Concern – Criminal.

RNI220301 – Refer to Attorney General's Office for a Cease and Desist and place on imposter list on the board's website.

RNI220298 – Close case with no disciplinary action.

RNI220312 – Refer to Attorney General's Office for Public Reprimand \$500 fine with courses in Risk Advisor for Advanced Practice Nurses: Know Your Risk for Legal Action, Principles of Safe Prescribing: Pharmacokinetics, Pharmacodynamics, Pharmacogenomics & Drug Interactions.

RNI220263 – Send Investigative Letter with courses in Ethics of Nursing Practice, A Nurses Guide to the Use of Social Media (https://www.ncsbn.org/Social_Media.pdf and https://www.ncsbn.org/NCSBN_SocialMedia.pdf), NCSBN Social Media Guidelines Video (YouTube video - <https://www.youtube.com/watch?v=6QQpde9tSu8>) Nurses and Social Media: Regulatory Concerns and Guidelines (<https://ukhealthcare.uky.edu/sites/default/files/social-media-case-study.pdf>).

LPNI220217– 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, Stayed suspension, \$500 fine for violation of Consent Order, quarterly reports (self, employer, after care), Standard work restrictions, Substance Abuse Stipulation, Monthly urine drug screens throughout the order, a new sobriety date.

RNI220790 - Refer to Attorney General’s Office for a Public Reprimand \$500 fine for violation Consent Order and every new employer must submit a statement stating they are aware of her Consent Order.

RNI220853 – 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, quarterly reports (self, employer, after care, psychotherapy), Substance Abuse Stipulations, Standard work restrictions, start over drug testing – quarterly hair reports (Hairstat 5) x 24 months, Monthly urine drug screens throughout the order, New sobriety date, \$500 fine for violation of Consent Order, Stayed suspension language

RNI210680 - Refer to 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 noncompliant voluntary surrender or indefinite suspension and deny renewal. May petition to lift with MPE and proof of standard practice requirement.

RNI221003 – Issue authorization to practice as an APRN under the terms and conditions of the current consent order.

RNI221004 – Applicant must complete 30 clinical hours of maternal/infant nursing. May withdraw application

RNI211280 – Zelma to reach out to Compact concerning once license is revoked is the nurse eligible for a multistate – If answer is no - Send a copy of the letter previously mailed to Respondent regarding her application for multistate license to the correct mailing address.

RNI221010 – Issue Authorization to practice as APRN

Tanner seconded the motion and it carried unanimously.

There being no further business, the meeting adjourned Thursday, March 24, 2022 at 4:35 p.m.



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 March 24, 2022 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



Presiding Officer

Sworn and subscribed before me
This 24th day of March, 2022.


Notary Public

