

The Investigative Committee B of the Georgia Board of Nursing met Thursday, May 26, 2022 via conference call at the Professional Licensing Boards Division of the Secretary of State located at 237 Coliseum Drive, Macon, Georgia 31217.

## **THURSDAY, MAY 26, 2022**

### **MEMBERS PRESENT**

Ashlan Porter, RN  
K. Andrea Phipps, LPN  
Maceo Tanner, RN  
Roger Pierce, RN, MSN  
Jennifer Pipkin, RN, MSN, CRNA  
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  
Natará 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 4:00 p.m. on Thursday, May 26, 2022.

### **EXECUTIVE SESSION**

Phipps 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, May 26, 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)

Phipps moved to present the following recommendations to the Board.

**RNI220093** - Refer to Attorney General's Office for a Public Consent Order with quarterly reports (self, employer) X12 months, \$500 fine for Unprofessional Conduct (inappropriate handling of narcotics); courses in Narcotic Drugs: Handling and Documentation; Professional Accountability and Legal Liability for Nurses; and Disciplinary Actions: What Every Nurse Should Know. Also refer to SOS Investigations for CBC.

**RNI220541**– Close case with no disciplinary action.

**LPNI210180** - Refer to Attorney General's Office for Indefinite suspension. May petition to lift after 6 months with 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.

**RNI220569** - Close with Letter of Concern – Unprofessional Conduct.

**RNI220009**– Refer to the 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.

**LPNI220013** – Refer to Attorney General's Office for a Public Reprimand with \$500 fine for Unprofessional Conduct, quarterly reports (self, employer) X12 months, courses in Ethics of Nursing Practice, Professional Accountability and Legal Liability for Nurses, and Disciplinary Actions: What Every Nurse Should Know; Investigative costs as applicable. Deactivate multistate license.

**RNI220011**

**RNI220157** – Refer to Attorney General's Office for Revocation of license.

**RNI220297** – Refer to Attorney General's Office for a Public Reprimand regarding Action in another jurisdiction in Texas. Include wording instructing Respondent to submit proof of completion of the Texas Order, when applicable, to the Georgia Board of Nursing.

**RNI220126** – Investigative letter with courses in Narcotic Drugs: Handling and Documentation, Professional Accountability and Legal Liability for Nurses and Disciplinary Actions: What Every Nurse Should Know.

**RNI220082** – Close case with no disciplinary action

**LPNI220074** – Close case with no disciplinary action.

**RNI220365** – Investigative Letter with courses in Professional Accountability and Legal Liability for Nurses, Disciplinary Actions: What Every Nurse Should Know.

**RNI220506** – Letter of Concern - prescribing violation

**RNI221272** – Issue License by Endorsement with Letter of Concern - Criminal

**RNI221273** – Issue license by endorsement with Letter of Concern – Action in another jurisdiction.

**RNI221286** – Approve Initial Authorization as an APRN with Letter of Concern – Action in another jurisdiction.

**RNI221274** – The Board recommended for applicant to have 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 for consideration of licensure.

**RNI210868** – Refer to Attorney General's Office for Public Reprimand for failure to disclose treatment and failure to disclose action in another jurisdiction - \$1000 fine, two years' probation with 2 years of narcotic restrictions, quarterly reports (self, employer, after care), Monthly urine drug screens throughout the order, Substance Abuse Stipulations, Standard work 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.

**RNI221108** - Refer to Attorney General's Office for Public Consent Order with a \$500 fine for violation of Consent Order.

**RNI221145** – Refer to Attorney General's Office to Amend current Consent Order to include a stayed suspension (superseding order). Public Consent Order three years' probation, quarterly reports (self, employee, after care, psychotherapy), Monthly PEth x 12 months, quarterly urine drug screens throughout the order with EtG and EtS, Standard work restrictions, Substance Abuse Stipulations, new sobriety date and start over drug testing, Stayed suspension, \$500 fine for violation of Consent Order.

**RNI221164** – Refer to the 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.

**LPNI220355** – Refer to Attorney General's Office for a Private Consent agreement with a \$500 fine for failure to disclose

previous action denying licensure by Georgia Board of Nursing in 2010. May issue license upon receipt of payment of fine in full. Allow to withdraw application.

**RNI220697** – Refer to Attorney General's Office for Public Consent Order with five years' probation and 2 years of narcotic restrictions, Reprimand and \$500 fine for drug diversion, quarter reports (self, employer, after care, psychotherapy), quarter hair reports Hairstat 14 x 24 months, quarterly urine drug screens throughout the order Standard. work restrictions, Substance Abuse Stipulations, courses in Substance Use in Nursing, Righting a Wrong: Ethics and Professionalism in Nursing, Disciplinary Actions: What Every Nurse Should Know.

**RNI200984** - Refer to Attorney General's Office to lift Summary Suspension of license and issue an Indefinite Suspension followed by a Public Consent Order with five years' probation and 2 years of narcotic restrictions, Reprimand and \$500 fine for felony drug conviction, quarter reports (self, employer, after care), quarterly hair reports Hairstat 10 x 24 months, quarterly urine drug screens throughout the order, Standard work restrictions, Substance Abuse Stipulations, courses in Substance Use in Nursing, Righting a Wrong: Ethics and Professionalism in Nursing, Disciplinary Actions: What Every Nurse Should Know, \$500 fine for Continuing Education violation and complete Continuing Education deficiencies. May petition to lift suspension after 3 months, payment of both \$500 fines and completion of Continuing Education deficiency.

**RNI211239** – Refer to Attorney General's Office for Public Reprimand \$500 fine for drug diversion and positive drug test at work, quarterly reports (self, employer), three years' probation and 2 years of narcotic restrictions, courses in Righting a Wrong: Ethics and Professionalism in Nursing, Narcotic Drugs: Documentation and Handling, Disciplinary Actions: What Every Nurse Should Know.

**LPNI220236** - Refer to Attorney General's Office to Amend current Private Consent Order to Public Consent Order and include stayed suspension (superseding order). Public Consent Order five years' probation, quarterly reports (self, employer, after care, psychotherapy, medication management), Monthly PEth x 12 months, quarterly urine drug screens throughout the order with EtG and EtS, Standard work restrictions, Substance Abuse Stipulations, Stayed suspension, courses in Substance Use in Nursing, Disciplinary Actions: What Every Nurse Should Know.

**LPNI220111** – Refer the case back to SOS Investigations and request a copy of the video showing Respondent removing the medication and placing it in her pocket, copy of the police report, the status of the case and any subsequent arrest information if applicable and a copy of the DEA 106 report that was prepared by Pharmacist Kovash.

**LPNI220357** – Refer to Attorney General's Office for a Private Consent Order with \$500 fine for Continuing Education violation.

Tanner seconded the motion and it carried unanimously.

There being no further business, the meeting adjourned Thursday, May 26, 2022 at 4:30 p.m.



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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.

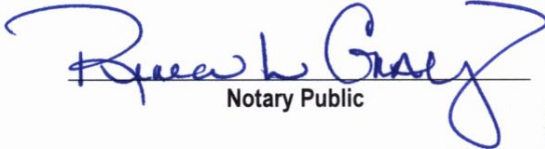
**Comes now the presiding officer identified below and, before an official duly authorized to administer oaths, makes this affidavit in satisfaction of the statutory requirements outlined above.**

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 May 26 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

  
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Presiding Officer

Sworn and subscribed before me  
This 26th day of May, 2022.

  
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Notary Public

