

The Investigative Committee A of the Georgia Board of Nursing met Thursday, October 7, 2021 via conference call at the Professional Licensing Boards Division of the Secretary of State located at 237 Coliseum Drive, Macon, Georgia 31217.

THURSDAY, OCTOBER 7, 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
Kirsten Daughdril, JD, Assistant Attorney General
Kathy Winstead, Board Support Specialist

Fort called the meeting to order at 4:00 p.m. on Thursday, October 7, 2021.

EXECUTIVE SESSION

Thompson 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, October 7, 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)

Batson moved to present the following recommendations to the Board.

LPNI210160– Refer back to Office of Investigations. Have the employer review the statement from Respondent’s legal counsel and ask the employer to provide a statement identifying specifically what the nurse is guilty of doing. Did the nurse bill for services not provided or did the nurse simply chart for services provided outside of the timeframe?

LPNI210202– 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

LPNI210332 – Investigative letter with courses in Professional Accountability and Legal Liability for Nurses and Disciplinary Actions: What Every Nurse Should Know.

RNI211064 – Investigative letter with courses in Professional Accountability and Legal Liability for Nurses, Documentation: A Critical Aspect of Client Care and Disciplinary Actions: What Every Nurse Should Know.

RNI220224 – Close case with no disciplinary action.

RNI220238 – Refer to Office of Investigations to obtain additional information concerning the respondent’s termination from

two facilities listed in complaint and obtain update on pending charges, send back to board to review.

RNI210864 – Refer to Office of Investigations to obtain any facility investigation along with proof the respondent was on call the date of the arrest, obtain update on pending charges, keep hold on license until outstanding charges are resolved.

RNI210829 - Refer to Attorney General's Office for Cease & Desist. Post on Imposter website. (Zelma)

LPNI210496 – Refer to Attorney General's Office for an outpatient mental physical examination from a Board approved evaluator Psychological Evaluation), 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

RNI211051 – 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.

RNI220310 – Issue single state License with Letter of Concern - Criminal - HOLD eNLC license –refer to Staff (licensing analyst) correspond with Indiana BON concerning expungement law and eNLC eligibility, send back for board review.

RNI220309 – Issue License

RNI211310 – Close case with no disciplinary action.

LPNI220122 – Issue single and eNLC license with Letter of Concern-Criminal.

RNI220315 – Request applicant to submit or 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.

RNI220067 – Refer to Office of Investigations to obtain the patient medical record and send out for peer review upon receipt.

LPNI220040– Refer to Office of Investigations to obtain the patient medical record and send out for peer review upon receipt.

RNI220317 – Issue single and eNLC license with Letter of Concern – Criminal.

RNI220142 – Refer to Attorney General's Office or Private Consent Order with five years' probation, quarterly reports (self, employer, after care, psychotherapy), Monthly PEth x 24 months, quarterly urine drug screens throughout the order, substance abuse stipulations, Standard work restrictions, courses in Substance Use in Nursing, Disciplinary Actions: What Every Nurse Should Know.

RNI211107 - Deny multistate licensure. Refer to Attorney General's Office for Private Consent Order five years' probation, quarterly reports (self, employer, after care, psychotherapy), Monthly PEth x 24 months, quarterly urine drug screens throughout the order with EtG and EtS, substance abuse stipulations, Standard work restrictions, courses Substance Use in Nursing, Disciplinary Actions: What Every Nurse Should Know.

RNI210767– Refer to Attorney General's Office for Public Reprimand \$500 fine for positive drug test at work, \$500 fine for diversion, Consent Order with five years probations and 2 years of narcotic restrictions, quarterly reports (self, employer, after care, psy-addiction psychiatrist, psy-addiction counselor), quarterly Hair reports (Hairstat 12) x 24 months, quarterly urine drug screens throughout the order, substance abuse stipulations, Standard work restrictions, courses in Substance Use in Nursing, Disciplinary Actions: What Every Nurse Should Know, Righting a Wrong: Ethics and Professionalism in Nursing, Narcotic Drugs: Documentation and Handling, Deactivate Multistate license. Inv. Cost: \$293.53

RNI211277– 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-psychiatrist, psychotherapy), substance abuse stipulations, Monthly PEth x 12 months, quarterly urine drug screens throughout the order, Standard work restrictions along with no excess work over 40 hours per week, Stayed suspension language, \$500 fine for violation of Consent Order, courses in Understanding Substance Use in Nursing, Disciplinary Actions: What Every Nurse Should Know, Restart all drug testing

RNI220227 – Refer to Attorney General's Office for a voluntary surrender or indefinite suspension. May petition to lift with one quarter of aftercare compliance.

LPNI220112 – Refer to Attorney General's office to amend current Consent Order to include a stayed suspension (superseding order). Public Consent Order with three years' probation, quarterly reports (self, employer, after care), substance abuse stipulations, Monthly PEth x 12 months, quarterly urine drug screens throughout the order, Standard work restrictions, Stayed suspension language, \$500 fine for violation of Consent Order, Restart all drug testing.

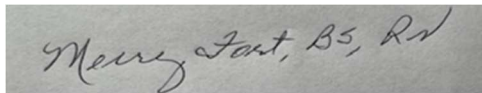
RNI220274 - Refer to Attorney General's Office for Public Consent Order with five years' probation, quarterly reports (self, employer, after care, psychotherapy), Monthly PEth x 24 months, quarterly Hair reports (Hairstat 5) x 12 months, quarterly urine drug screens throughout the order, substance abuse stipulations Standard work restrictions, courses in Substance Use in Nursing, Disciplinary Actions: What Every Nurse Should Know.

LPNI220038 – Refer to Office of Investigations to obtain the patient medical record and send out for peer review upon receipt.

LPNI190440 - Refer to Attorney General's Office for a voluntary surrender or indefinite suspension. May petition to lift with \$900.00 payment.

Thompson seconded the motion and it carried unanimously.

There being no further business, the meeting adjourned Thursday, October 7, 2021 at 5:15 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 October 7, 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 7th day of October, 2021.



Notary Public

