

The Georgia Board of Nursing met October 21, 2021, via teleconference call at the Professional Licensing Boards Division of the Secretary of State located at 237 Coliseum Drive, Macon, Georgia 31217.

THURSDAY OCTOBER 21, 2021

MEMBERS PRESENT

Tammy Bryant, MSN, BSN, RN, President
Merry Fort, BS, RN, Vice President
Darrell Thompson, RN, DNP, ACNP-BC, FNP-BC
Stephanie Dickerson, RN, BSN
Roger Pierce, RN, MSN
Ashlan Porter, RN
Maceo Tanner, LPN
K. Andrea Phipps, LPN
Joshua Batson NP-C
Jennifer Pipkin, RN, MSN, CRNA

MEMBERS ABSENT

Candice Broce, JD, Consumer Member

STAFF PRESENT

Zelma Delgado, Executive Director, Georgia Board of Nursing
Natara Miller, RN, BSN, Nursing Consultant – Legal/Discipline,
Janet Freeman, RN, BSN, Nursing Consultant – Legal/Discipline
Edye Tillman-Johnson, RN, BSN, Nursing Consultant – Legal/Discipline
Kirsten Daughdril, JD, Assistant Attorney General
Cara Lugo, Assistant Attorney General
Sandy Bailey, Assistant Attorney General
Alexis Cromartie, Assistant Attorney General
Elizabeth Simpson, Assistant Attorney General
Kathy Winstead, Board Support

Bryant called the meeting to order at 4:00 pm on Thursday, October 21, 2021. *A quorum to conduct disciplinary matters was present.*

EXECUTIVE SESSION

A quorum of a committee was present, and Batson moved, Pierce seconded, and the Board 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 Committee Meeting session on Thursday, October 21, 2021, Bryant 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.

CASE REVIEW

(RNI=Registered Nurse Investigative Case Number, LPNI=Licensed Practical Nurse Investigative Case Number)

LPNI210110 – Phipps moved to close complaint with no disciplinary action. Tanner seconded the motion and it carried unanimously.

RNI190443 – Porter moved to refer to Attorney General's Office for one year probation, quarterly reports (self, employer). Tanner seconded the motion and it carried unanimously.

RNI220161 – Phipps moved to close case with no disciplinary action. Tanner seconded the motion and it carried unanimously.

RNI210770 – Porter moved to 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, refer for a voluntary surrender or indefinite suspension, and deny renewal. May petition to lift suspension with mental physical examination and standard practice requirements. Safe to practice statement. Fort seconded the motion and it carried unanimously.

RNI220380 – Fort moved to refer to Attorney General's Office for Private Consent Order with \$500.00 fine for Continuing Education violation. Tanner seconded the motion and it carried unanimously.

LPNI220140 – Porter moved to Issue single state license and eNLC. Fort seconded the motion and it carried unanimously.

LPNI210381 - Porter moved to 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, 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. Fort seconded the motion and it carried unanimously.

LPNI220027 - Phipps moved to refer to Attorney General's Office for cease & desist, refer complaint to Healthcare 1, place on board of nursing's imposter list (Zelma), will need to assess fine for Unlicensed Practice if applies for reinstatement. Dickerson seconded the motion and it carried unanimously.

RNI210826 – Porter moved to close case with no disciplinary action. Pierce seconded the motion and it carried unanimously.

RNI210868 - Dickerson moved to refer to Attorney General's Office to Amend Current Consent Order to include a stayed suspension (superseding order). Public Consent Order, five years probation, quarterly reports (self, employer, after care), Standard work restrictions, substance abuse stipulations, Monthly PEth x 12 months, quarterly urine drug screens throughout the order, Stayed suspension language, start over all drug testing. Tanner seconded the motion and it carried unanimously.

LPNI220139 – Porter moved to Issue single state license and eNLC. Dickerson seconded the motion and it carried unanimously.

RNI160918 - Batson moved to allow Respondent to continue Buprenorphine use. Send letter to Respondent re: quarterly reports (Medication Management) to reflect every medication that is being prescribed. Pierce seconded the motion and it carried unanimously.

RNI220268 – Batson moved to refer to Attorney General's Office for Public Consent Order with stayed suspension language with five years probation and two years of nacroic restrictions, quarterly reports (self, employer, after care, psychotherapy), substance abuse stipulations, quarterly reports Hair (Hairstat 10) x 24 mos, quarterly urine drug sceens 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, fine for failure to disclose Treatment x 5 Renewals and RN application \$3,000. Porter seconded the motion and it carried unanimously

RNI220302 – Porter moved to close case with no disciplinary action. Pierce seconded the motion and it carried unanimously.

RNI200650 – Phipps moved to refer to Attorney General's Office for an outpatient mental physical examination from a Board certified Addictionologist and Gastroenterologist. 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, and Safe to practice statement needed. Board would accept a voluntary surrender. Tanner seconded the motion and it carried unanimously.

RNI210359 – Batson moved to refer to Attorney General’s Office for Public Consent Order with five years probation and one year of narcotic restrictions, Reprimand and \$500 fine for positive alcohol test at work, quarterly reports (self, employer, after care, psychotherapy), substance abuse stipulations, Monthly PEth 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, \$500.00 fine for failure to disclose 2019 DUI on 2020-2022 Renewal - Investigative Costs: \$120.30 + \$312.78 = \$433.08. Porter seconded the motion and it carried unanimously.

LPNI200411– Phipps moved to lift suspension of license with Public Reprimand for complaints in AZ and NM, \$500 fine for action in another jurisdiction, with 3 years probation and two years of narcotic restrictions, quarterly reports (self, employer, monthly reports with pain specialist), monthly urine drug screens throughout the order with Affinity, substance abuse stipulations, Standard work restrictions, Courses in Righting a Wrong: Ethics and Professionalism in Nursing, Substance Use in Nursing, Professional Accountability and Legal Liability for Nurses. Pierce seconded the motion and it carried unanimously.

LNI210483 – Batson moved to lift suspension of license. Porter seconded the motion and it carried unanimously

RNI210355 - Batson moved to deny request to work for an agency. Porter seconded the motion and it carried unanimously.

LPNI200255 – Dickerson moved to deny request to work for an agency. Batson seconded the motion and it carried unanimously

ATTORNEY GENERAL’S OFFICE

(RNI=Registered Nurse Investigative Case Number, LPNI=Licensed Practical Nurse Investigative Case Number)

LPNI200419 - Phipps moved to rescind Previous Board Motion send Investigative letter with courses in Righting a Wrong: Ethics and Professionalism in Nursing, Disciplinary Actions: What Every Nurse Should Know, Narcotic drugs & handling. Fort seconded the motion and it carried unanimously.

RNI201089 – Porter moved to rescind previous motion – Send back to Peer Reviewer to review depositions. Batson seconded the motion and it carried unanimously.

LPNI210247– This case has been removed from the AG -Memo Grid – will be handled in house -by the Attorney General’s Office.

RNI201483 – Phipps moved to rescind Previous Board Motion – Refer to Attorney General’s Office for a Public Consent Order with three years probation and two years narcotic restrictions (administer & prescribe) courses in Righting a Wrong: Ethics and Professionalism in Nursing, Drug diversion safe prescribing-APRN course. Tanner seconded the motion and it carried unanimously.

RNI220063 – Batson moved to rescind Previous Board Motion, Respondent has provided documentation that demonstrates compliance with Continuing Education requirements, Board Staff Confirmed. Close the case. Dickerson seconded the motion and it carried unanimously.

RNI210909 – Porter moved to rescind Previous Board Motion, accept Public Consent Order Superseding Prior Order as presented. The reduction of the hair stat tests from quarterly to biennially and allow Respondent to petition to lift the narcotics restriction after one year of continuous, documented sobriety. Dickerson seconded the motion and it carried unanimously

RNI211149 – Fort moved to deny inactive request– Allow respondent to voluntary surrender license. Phipps seconded the motion and it carried unanimously.

RNI220069 – Porter moved to rescind Previous Board Motion, Respondent has provided documentation that demonstrates compliance with Continuing Education requirements, Board Staff Confirmed. Close the case. Tanner seconded the motion and it carried unanimously.

RNI220281 – Porter moved to rescind Previous Board Motion, Respondent has provided documentation that demonstrates compliance with Continuing Education requirements, Board Staff Confirmed. Close the case. Pierce seconded the motion and it carried unanimously.

RNI220069 – Porter moved to rescind Previous Board Motion, Respondent has provided documentation that demonstrates compliance with Continuing Education requirements, Board Staff Confirmed. Close the case. Tanner seconded the motion and it carried unanimously.

LPNI210573 – Tanner moved to rescind Previous Board Motion, Respondent has provided documentation that demonstrates compliance with Continuing Education requirements, Board Staff Confirmed. Close the case. Phipps seconded the motion and it carried unanimously.

LPNI190285 – Porter moved to rescind Previous Board Motion, Respondent has provided documentation that demonstrates compliance with Continuing Education requirements, Board Staff Confirmed. Close the case. Tanner seconded the motion and it carried unanimously.

LPNI210481 – Porter moved to rescind Previous Board Motion, Respondent has provided documentation that demonstrates compliance with Continuing Education requirements, Board Staff Confirmed. Close the case. Tanner seconded the motion and it carried unanimously.

LPNI210544 – Batson moved to administratively close case, Respondent allowed their license to lapse. Porter seconded the motion and it carried unanimously.

INITIAL DECISIONS

(**RNI**=Registered Nurse Investigative Case Number, **LPNI**=Licensed Practical Nurse Investigative Case Number)

LPNI210354 – Porter moved for Revocation. Pierce seconded the motion and it carried unanimously.

RNI210768 – Dickerson moved for Revocation. Phipps seconded the motion and it carried unanimously.

RNI211101 – Phipps moved for License suspended indefinitely. Fort seconded the motion and it carried unanimously.

LPNI190307 – Probation.

LPNI200277 – License suspended – Judge decreased suspension to 90 days.

RNI210886 – License suspended.

RNI210545 – Judge decreased probation to 2 years.

LPNI210585 – Dismissed.

LPNI210573 – Dismissed.

LPNI190736 – Dismissed.

At the conclusion of the executive session on Thursday 21, 2021, Bryant 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.

OPEN SESSION

INVESTIGATIVE COMMITTEE A

(LPNI = Licensed Practical Nurse Investigative Case Number) (RNI=Registered Nurse Investigative Case Number)

Fort moved to ratify the following cases from the October 7, 2021 Investigative Committee A meeting:

LPNI210160	LPNI210202	LPNI210332	RNI211064	RNI220224	RNI220238	RNI210864
RNI210829	LPNI210496	RNI211051	RNI220310	RNI220309	RNI211310	LPNI220122
RNI220315	RNI220067	LPNI220040	RNI220317	RNI220142	RNI211107	RNI210767
RNI211277	RNI220227	LPNI220112	RNI220274	LPNI220038	LPNI190440	

Porter seconded the motion and it carried unanimously.

INVESTIGATIVE COMMITTEE B

(LPNI = Licensed Practical Nurse Investigative Case Number) (RNI=Registered Nurse Investigative Case Number)

Porter moved to ratify the following cases from the September 23, 2021 Investigative Committee B meeting:

LPNI210321	LPNI210264	RNI211114	RNI210783	LPNI220056	RNI190813	RNI220154
RNI211284	RNI220039	RNI220043	RNI220059	LPNI220021	RNI200171	RNI210830
RNI210848	RNI191412	RNI200476	RNI220116	RNI220292	RNI220190	RNI220125
RNI220311	RNI220113	RNI220189	RNI220197	RNI220280	LPNI200416	RNI140297

Fort seconded the motion and it carried unanimously.

ADA

(RNI=Registered Nurse Investigative Case Number) (LPNI = Licensed Practical Nurse Investigative Case Number)

Porter moved moved to accept the following recommendations for the applicants listed below:

2961548	2968536	2925100	2950437
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Tanner seconded the motion and it carried unanimously

PROBATION TERMINATIONS BETWEEN MEETINGS

(RNI=Registered Nurse Investigative Case Number) (LPNI = Licensed Practical Nurse Investigative Case Number)

Batson moved to accept the following terminations of probation between meetings

RNI190111	RNI160660	RNI190055	RNI161042	RNI160079	RNI710076
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Porter seconded the motion and it carried unanimously.

PRIVATE CONSENT AGREEMENTS FOR UNLICENSED AND UNAUTHORIZED PRACTICE

(LPNI = Licensed Practical Nurse Investigative Case Number) (RNI=Registered Nurse Investigative Case Number)

Porter moved to ratify the Private and Public Consent Agreements for unlicensed/unauthorized practice that were issued according to the Board's policies.

RN220387	RN220395	RN220398	LPN220147	LPN220150
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Dickerson seconded the motion and it carried unanimously.

PRIVATE CONSENT AGREEMENTS FOR FAILURE TO DISCLOSE

(RNI=Registered Nurse Investigative Case Number) (LPNI = Licensed Practical Nurse Investigative Case Number)

Batson moved to accept the following recommendations for the applicant cases listed below:

LPN220148

Dickerson seconded the motion and it carried unanimously.

VOLUNTARY SURRENDER

(RNI=Registered Nurse Investigative Case Number) (LPNI = Licensed Practical Nurse Investigative Case Number)

Porter moved to accept the voluntary surrender of the licenses listed below:

RNI211161 LPN210577

Tanner seconded the motion and it carried unanimously

APPROVED RE-ENTRY PROPOSALS

(RNI=Registered Nurse Investigative Case Number) (LPNI = Licensed Practical Nurse Investigative Case Number)

Batson moved to ratify the following reentry proposals that were approved by staff using Board guidelines:

APPLICANT	METHOD LICENSE OBTAINED	LOCATION	TEMP PERMIT ISSUE DATE
2957630	Reinstatement	Blue Ridge Area Health	08/02/2021
2903238	Endorsement	Three Rivers	08/03/2021
2907133	Endorsement	Blue Ridge Area Health	08/06/2021
2937829	Endorsement	Southern Crescent Technical College	08/19/2021
2934154	Endorsement	Blue Ridge Area Health	08/19/2021
2940202	Endorsement	Preston Ridge Pediatrics	08/26/2021
2944505	Endorsement	Blue Ridge Area Health	08/27/2021
2959490	Endorsement	Three Rivers	08/31/2021
2959731	Endorsement	Blue Ridge Area Health	08/31/2021
2841647	Endorsement	North Georgia Women's Center	09/06/2021
2946236	Endorsement	Southern Crescent Technical College	09/06/2021
2941755	Reinstatement	Foothills AHEC	09/07/2021
2887905	Reinstatement	Ycarte'Health Center	09/01/2021
2941120	Endorsement	Ycarte'Health Center	09/13/2021
2907483	Exam-International	Blue Ridge AHEC	09/17/2021
2908125	Reinstatement	Blue Ridge AHEC	09/27/2021

Dickerson seconded the motion and it carried unanimously

APPROVAL OF BOARD MINUTES

Phipps moved to accept the September 15 - 16, 2021 Executive meeting minutes as presented. Fort seconded the motion and it carried unanimously.

Phipps moved to accept the September 15 - 16, 2021 meeting minutes as presented. Porter seconded the motion and it carried unanimously.

Phipps moved to accept the September 23, 2021 Investigative Committee B meeting minutes as presented. Batson seconded the motion and it carried unanimously.

Porter moved to accept the October 7, 2021 Investigative Committee A meeting grid as presented. Fort seconded the motion and it carried unanimously.

RULE WAIVER

2934692 - Fort moved to deny Rule Waiver. Phipps seconded the motion and it carried unanimously – Response to applicant to include: Did not provide enough information that adequately proves a hardship, there are preceptorships available in the State of Georgia as the state does not have a shortage of preceptorships. The Board cannot grant a variance or waiver of a Law. Only Rules can be considered for variance or waiver.

2923435 – Fort moved to deny Rule Waiver. Phipps seconded the motion and it carried unanimously – Response to applicant to include: Did not provide enough information that adequately proves a hardship, there are preceptorships available in the State of Georgia as the state does not have a shortage of preceptorships. The Board cannot grant a variance or waiver of a Law. Only Rules can be considered for variance or waiver.

MISCELLANEOUS

Dr. Estroff – Zelma to contact

Rules Hearing – Post for 30 days – hearing to be scheduled for December 16, 2021 Board Meeting

CGFNS – will be making a presentation at the November Board Meeting

There being no further business, the meeting adjourned on Thursday, October 21, 2021, at 6:58 pm



Tammy Bryant, **President**



Zelma Y Delgado, **Executive Director**

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.

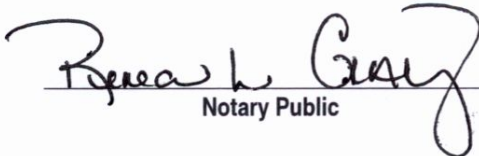
Comes now the presiding officer identified below and, before an official duly authorized to administer oaths, makes this affidavit in satisfaction of the statutory requirements outlined above.

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 21, 2021 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 October, 2021.


Notary Public

