

The Investigative Committee B of the Georgia Board of Nursing met Thursday, October 28, 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 28, 2021

MEMBERS PRESENT

Ashlan Porter, RN
K. Andrea Phipps, LPN
Maceo Tanner, LPN
Jennifer Pipkin, RN, MSN, CRNA

STAFF PRESENT

Zelma Delgado, Executive Director, Georgia Board of Nursing
Janet Freeman, RN, BSN, Nursing Consultant – Legal/Discipline
Natara Miller, RN, BSN, Nursing Consultant – Legal/Discipline
Kirsten Daughdril, JD, Assistant Attorney General
Alexis Cromartie, JD, Assistant Attorney General
Kathy Winstead, Board Support Specialist

Porter called the meeting to order at 4:00 p.m. on Thursday, October 28, 2021.

EXECUTIVE SESSION

Tanner moved, Pipkin 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 28, 2021, 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.

LPNI220146 - Issue License by Exam and eNLC

LPNI190619– Refer to Office of Investigations to obtain copy of criminal conviction and obtain Letter of Explanation from respondent regarding arrest and Failure to Disclose arrest/ action in another jurisdiction (will need to come back to the board to review conviction for possible suspension related to a felony drug conviction).

LPNI200114– Refer to the Attorney General’s Office for Public Reprimand with \$500.00 fine for Failure to Disclose action in another jurisdiction

RNI211191 - Investigative Letter with Courses to include Professional Accountability and Legal Liability for Nurses, Disciplinary Actions: What Every Nurse Should Know, Accurate and Legal, and Narcotic Drugs: Handling and Documentation. Investigative cost \$48.12.

RNI220040 – Close case with no disciplinary action

LPNI220099 – Refer to Office of Investigations to obtain a copy of the police report and run criminal background check.

LPNI210375 – Send Investigative letter with courses in Professional Accountability and Legal Liability for Nurses, Resident Rights, and Disciplinary Actions: What Every Nurse Should Know.

RNI210831 – Deny request to lift suspension. May petition to lift after receiving treatment from psychiatrist and is cleared to work safely by both psychiatrist & psychotherapist.

LPNI210380 – Send to Office of Investigations to obtain copy of the criminal background check on 2016 DUI conviction as noted in the IL Consent Order. Refer to Attorney General's Office for Failure to Disclose on 3 renewal cycles.

LPNI220131– Refer to Attorney General's Office for private consent order with \$500 fine for Continuing Education violation.

RNI220283 – Refer to Attorney General's Office to amend current Consent Order to include a stayed suspension (superseding order). Public Consent Order five years' probation with two years of narcotic restrictions, quarterly reports (self, employer, after care), QTR Hair (Hairstat 5) x 1yr, quarterly urine drug screens throughout the order, substance abuse stipulations standard work restrictions, restart all drug testing, \$500 fine for violation of Consent Order, Stayed suspension language.

LPNI190048 – Refer to the Attorney General's Office for Voluntary surrender or indefinite suspension. May petition to lift with complete \$4,500 payment and payment plan for the remaining \$5000.

RNI210746 – Send out for Peer Review and bring back to Board

RNI210780 – Close with Letter of Concern (employer reports)

RNI211053 – Refer to Attorney General's Office 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 requirements

RNI211056 – Refer to the Attorney General's Office for a private consent order with \$150 fine for Unlicensed Practice (4 months) and Inv. cost of \$216.54.

RNI210844 – Close case with no disciplinary action

RNI210774 – Refer to Attorney General's Office 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 requirements

RNI220385 – Refer to Attorney General's Office for a Public Consent Agreement with \$500.00 fine for Failure to Disclose Action in another jurisdiction.

RNI160894 – Refer to Attorney General's Office for suspension of privilege to practice in Georgia, send letter to applicant allowing her to withdraw application and reapply after completion of IOP treatment as recommended from MPE; letter will need to state that the board may take further action on her Tennessee eNLC and restrict her privilege to practice in Georgia until she completes treatment.

RNI211237 – Refer to Attorney General's Office for voluntary surrender or indefinite suspension. May petition to lift after completion of IOP treatment and enrollment in aftercare.

LPNI190130 - Refer to Attorney General's Office for voluntary surrender or indefinite suspension. May petition to lift with complete payment of fine.

RNI211274 – Refer to Office of Investigations to investigate and obtain facility investigation, statement from respondent and witnesses.

RNI181198– Obtain patient medical records and send out for peer review.

RNI171054 – Approve request to terminate Consent Order early

RNI190439 – Allow Respondent to remain on Suboxone while under Dr. Saha's care

RNI220345 – 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), quarterly reports Hair (Hairstat 7) x 1yr, quarterly urine drug screens throughout the order, substance abuse stipulations standard work restrictions, \$500 fine for violation of Consent Order, Stayed suspension language, restart all drug testing.

Pipkin seconded the motion and it carried unanimously.

There being no further business, the meeting adjourned Thursday, October 28, 2021 at 4:45 p.m.

A handwritten signature in cursive script that reads "Ashlan D Porter". The signature is written in black ink on a light-colored, slightly textured paper background.

Ashlan Porter, **Board Member, RN**

STATE OF GEORGIA

COUNTY OF BIBB

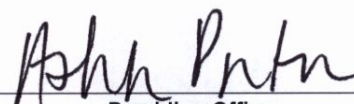
**AFFIDAVIT SUPPORTING CLOSING OF
PUBLIC MEETING**

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 October 28 2021 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 28th day of October, 2021.



Notary Public

