

The Investigative Committee B of the Georgia Board of Nursing met Thursday, December 2, 2021 via conference call at the Professional Licensing Boards Division of the Secretary of State located at 237 Coliseum Drive, Macon, Georgia 31217.

## **THURSDAY, DECEMBER 2, 2021**

### **MEMBERS PRESENT**

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

### **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  
Alexis Cromartie, JD, Assistant Attorney General  
Kathy Winstead, Board Support Specialist

Porter called the meeting to order at 4:00 p.m. on Thursday, December 2, 2021.

### **EXECUTIVE SESSION**

Pierce 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, December 2, 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)

Tanner moved to present the following recommendations to the Board.

**RNI211049** - Close case with no disciplinary action.

**LPNI220032** – Investigative letter with courses in Professional Accountability and Legal Liability for Nurses, Make Smart Injection Choices (print 1st page, sign and return [https://www.who.int/infection-prevention/tools/injections/IS\\_bestpractices-guidelines.pdf](https://www.who.int/infection-prevention/tools/injections/IS_bestpractices-guidelines.pdf)) and Disciplinary Actions: What Every Nurse Should Know.

**LPNI220082** - Close case with no disciplinary action.

**LPNI210506** – Refer to the Attorney General’s Office for Public Consent Order and \$500.00 for Unprofessional Conduct, courses to include: Professional Accountability and Legal Liability for Nurses, Disciplinary Actions: What Every Nurse Should Know, Resident's Rights, and Difficult or Challenging? Dealing with Patients. Investigative Costs: \$228.57.

**LPNI210347** - Table until final court disposition.

**LPNI210327** – Refer to Attorney General’s Office for public consent order with a fine of \$500 for Failure to disclose that he was under investigation by another board at the time of his 2021-23 GA renewal application.

**LPNI220181**– Issue LPN license- single and eNLC.

**RNI220502** – Request applicant submit to 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.

**RNI220358** – Send Investigative Letter with courses to include: Professional Accountability and Legal Liability for Nurses, Disciplinary Actions: What Every Nurse Should Know, Jurisprudence GA-RN.

**RNI220371** – Close case with no disciplinary action.

**LPNI220180** – Refer to Attorney General's Office for Private Consent Order with \$1,000.00 fine for Falsification on Renewal Application (x 2 renewals 2019-2021 and 2021-2023) and \$500.00 fine for Failure to disclose an arrest on eNLC application (\$1,500.00 fine total).

**RNI211289** – Refer to Attorney General's Office for Public Consent Order with five years' probation and 2 years of narcotic restrictions, quarterly reports (self, employer, after care, psy-addictionologist/pain specialist, psychotherapist), substance abuse stipulations, standard work restrictions, quarterly Hair (Hairstat 10) x 12 mos, Monthly PEth x 12mos, quarterly urine drug screens throughout the order. Allow to continue Suboxone use, courses in Substance Use in Nursing, Disciplinary Actions: What Every Nurse Should Know.

**RNI220418**– Refer to the Attorney General's Office for Private Consent Order with five years' probation, quarterly reports (self, employer, after care, psy-addictionologist), substance abuse stipulations, standard work restrictions, Monthly PEth x 12mos, quarterly urine drug screens throughout the order, courses in Substance Use in Nursing, Disciplinary Actions: What Every Nurse Should Know, Deactivate Multistate License. Tanner Abstained.

**RNI210476** – Refer to Attorney General's Office for Public Consent Order with five years' probation and 2 years of narcotic restrictions, Must enroll in ASAM Level II Outpatient Treatment within 30 days of docket date of order, quarterly reports (self, employer, aftercare, psychotherapy), substance abuse stipulations, standard work restrictions, quarterly Hair (Hairstat 5) x 12 months, quarterly urine drug screens throughout the order, courses to include Substance Use in Nursing, Disciplinary Actions: What Every Nurse Should Know, Righting a Wrong: Ethics and Professionalism in Nursing. \$500.00 fine Failure to disclose treatment on renewal, Public reprimand \$500 fine for impairment at work. Fine total \$1,000. Investigative Costs: \$372.93.

**RNI210766**– Refer to Office of Investigations to obtain physician orders and MAR related to Omnicell transactions that were suspicious. Request Respondent to have hair test/drug tests to be completed. Investigative costs: \$221.35.

**RNI220277** – Refer to Attorney General's Office for Public Consent Order with five years' probation and 2 years of narcotic restrictions, quarterly reports (self, employer, after care), substance abuse stipulations, standard work restrictions, quarterly Hair (Hairstat 10) x 24mos, quarterly urine drug screens throughout the order, courses to include Substance Use in Nursing, Disciplinary Actions: What Every Nurse Should Know.

**RNI210509** – License to remain suspended. May petition to lift with documentation of completed treatment, safe to practice statement from an addictionologist, and an update on Lithium treatment. Investigative costs: \$288.73.

**LPNI210364** – 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.

**LPNI220118** – Letter of Concern for Unprofessional Conduct (unsecured med cart keys).

**LPNI220173** – Request applicant submit to 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.

**RNI220478** – Refer to Attorney General's Office for Public Consent agreement with five years monitoring, quarterly reports (self, employer, after care), monthly PEth x24 months, substance abuse stipulations, standard work restrictions, and courses in Substance Use Disorder in Nursing and Disciplinary Actions: What Every Nurse Should Know.

**RNI220499**– Refer to board staff for a Public Consent Agreement with a \$500 fine (each) for Failure to disclose action in another jurisdiction on her RN and APRN reinstatement applications (\$1000 total). Issue license upon receipt of fine.

**LPNI220138** - Refer to Attorney General's Office for Public Consent Order with \$500 fine for submitting fraudulent time sheets. Courses in Professional Accountability and Legal Liability for Nurses, Ethics of Nursing Practice, and 3.) Disciplinary Actions: What Every Nurse Should Know. Inv. cost: \$48.12.

**RNI220313**– Close case with no disciplinary action.

**RNI211004**

**RNI220241**- Refer to Attorney General's Office for 6-month Suspension due to felony drug convictions followed by Public Reprimand for drug convictions and drug diversion – Two (2) \$500 fines = \$1000 fine, five years' probation, quarterly reports (self, employer, after care, psy-psychiatrist specialized in addiction medicine, medication management), substance abuse stipulations, standard work restrictions along with no more than 40 hour work weeks, quarterly Hair (Hairstat 7) x 12 months, quarterly urine drug screens throughout the order, courses to include Substance Use in Nursing, Disciplinary Actions: What Every Nurse Should Know, Righting a Wrong: Ethics and Professionalism in Nursing. Investigative Costs: \$48.12.

**RNI201015** – Refer to Attorney General's Office for Public Reprimand \$500 fine (Violated Board Rule 410-10-.03 (2)(n)- Causing or permitting physical, emotional, sexual, or verbal abuse or injury or neglect to the client, or failing to report same to the employer, appropriate legal authority and/or the Board). Investigative Costs: \$170.83 Peer Review Costs: \$300.00

**RNI220513** – License by endorsement with Letter of Concern for action in another jurisdiction, which was against his LPN license.

Pipkin seconded the motion and it carried unanimously.

There being no further business, the meeting adjourned Thursday, December 2, 2021 at 4:16 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 December 2, 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

  
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Presiding Officer

Sworn and subscribed before me  
This 2nd day of December, 2021.

  
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Notary Public

