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JULY 28-29, 2011 BOARD OF NURSING MEETING MINUTES

Recordings of past meetings can be viewed at <http://www.llronline.com/granicus.asp>.

<p>Board President Sylvia Whiting called the meeting to order at 9:35 a.m. on July 28, 2011 and at 8:01 a.m. on July 29, 2011. Public meeting notice was properly posted at the board offices as well as on its website and provided to all requesting persons, organizations and news media in compliance with the S.C. Freedom of Information Act. A quorum was present at all times</p>	<p><u>CALL TO ORDER</u> <u>PLACE OF MEETING</u> <u>& FOIA COMPLIANCE</u></p>
<p>Sylvia A. Whiting, PhD, APRN-BC, President Congressional District 1 Present</p> <p>Rose Kearney-Nunnery, RN, PhD, Vice-President Congressional District 2 Present</p> <p>C. Lynn Lewis, RN, MSN, EdD, NEA-BC Congressional District 3 Excused</p> <p>Carolyn A. Moody, RN, MAS, NEA-BC Congressional District 4 Present /Excused 07/29/11</p> <p>Lisa C. Irvin, RN, MSN, NEA-BC Congressional District 6 Present</p> <p>Samuel H. McNutt, RN, CRNA, MHSA Congressional District 5 Present</p> <p>James E. Mallory, EdD Public Member Present</p> <p>Anne Crook, PhD Public Member Present</p> <p>Two Licensed Practical Nurse Vacancies- Regions I & II</p>	<p><u>BOARD MEMBERS</u> <u>PRESENT &</u> <u>VOTING</u></p>
<p>Nancy Murphy, RN, MS, BC, CPM, Board Administrator Joan Bainer, RN, MN, NE BC, Program Nurse Consultant-Education Birddie Felkel, RN, MSN, Program Nurse Consultant-Practice Dean Griggs, Advice Counsel Jocelyn Andino, Asst. General Counsel, Office of General Counsel</p>	<p><u>LLR STAFF</u> <u>PRESENT &</u> <u>PARTICIPATING IN</u> <u>CERTAIN ITEMS</u></p>
<p>The July 28-29, 2011 Board of Nursing meeting agenda was presented to the Board for review and approval.</p> <p>A motion was made by Rose Kearney-Nunnery to approve the July 2011 Board of Nursing meeting agenda as presented. Carol Moody seconded the motion. The motion carried unanimously.</p> <p>[Minutes were not available for review and approval at this meeting.]</p>	<p><u>APPROVAL OF</u> <u>AGENDA</u></p> <p><u>MOTION</u></p>

The following items were presented to the Board on the July 28, 2011 Consent Agenda for acceptance as information.

- NCLEX RN & PN Summary Statistics for Jan 1 –Mar 31, 2011
- Technical College of the Lowcountry LPN Advanced Placement Semester Change
- Tri-County Tech. College PN Program Campus Location Change
- Applied Tech. Education Campus Practical Nursing Program Voluntarily Closing
- OIE Report
- Licensure Statistics
- Scope of Practice for Anesthesiologist Assistant
- House Bill 3408 – Freedom of Conscience Act
- House Bill 3955 – Telemedicine
- House Bill 836 – Interstate Healthcare Compact
- House Bill 3574 – Board members/Board employment
- Budget (On Table for Review)
- 2010 NCSBN Delegate Assembly Minutes
- NCLA 6.1 Compliance policy
- 2012 Board Meeting Dates
- Resolutions Committee Renamed Investigative Review Committee (IRC)
- Advisory Opinions #29 – Norcuron
- Position Statement – Simulation as a Teaching Strategy

A motion was made by Rose Kearney-Nunnery to approve the July 2011 Consent agenda as presented. Samuel McNutt seconded the motion. The motion carried unanimously.

APPROVAL OF
CONSENT AGENDA

MOTION

George Cooper, President and Gwenneth Simmonds, Interim Nursing Program Director, South Carolina State University appeared before the Board to discuss their response to Citation for NCLEX passing rate deficiency and the request for BSN Program Curriculum Changes.

Sylvia Whiting and James Mallory recused themselves due to former employment with South Carolina State University.

A motion was made by Samuel McNutt to go into executive session for the purpose of receiving legal counsel. Lisa Irvin seconded the motion. The motion carried unanimously.

A motion was made by Rose Kearney-Nunnery to leave executive. Lisa C. Irvin seconded the motion. The motion carried unanimously. No official actions were taken during executive session.

A motion was made by Lisa Irvin to grant conditional program approval to South Carolina State University BSN Program for a period of one year with the following stipulations:

Reappear at the January 2012 Board of Nursing meeting and submit a written report with the following information included:

- NCLEX scores for the Spring 2011 graduating class
- Revised departmental organizational chart to include the nursing program reporting/ communication channels to the President
- Faculty roster listing newly hired faculty (with date of hire), current faculty

SC STATE
UNIVERSITY – BSN
PROGRAM RESPONSE
TO CITATION FOR
NCLEX PASSING RATE
DEFICIENCY

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<p>and adjunct faculty to include credentials and experience</p> <ul style="list-style-type: none"> • Number of students enrolled in each nursing course of the program with specific GPA for the end of the fall semester and ATI results including the level of scores/ results, any remediation and the number progressing in the program. <p>And to defer the decision regarding the BSN Program curriculum change until the return to the January 2012 Board of Nursing meeting and the above required report information is available for the decision making process. Carol Moody seconded the motion. The motion carried unanimously.</p>	
<p>Theresa Wright, Nursing Department Head, Heath Milligan, Dean of Instructor, Forest Mahon, Vice-President for Academic Affairs, and Michael Kaltwang, Assistant Dean of Arts of Northeastern Technical College appeared before the Board to discuss their Faculty Update.</p> <p>Discussion included, but was not limited to by the Board to consider a Partnership using a hospital setting, offer alternate teaching practices to potential new hire, increase the pay for newly hired for location reasons, ask for help/assistance from surrounding Colleges. Northeastern Technical College Dean of Instructors, discussed submitting an interested applicant who has completed 50% of BSN at MUSC. Nancy Murphy stated she would add this to the August 30, 2011 ACON meeting. Based on the recommendation ACON will make at that meeting, Nancy Murphy will schedule this item for the September 2011 Board meeting for an action to be determined.</p> <p>A motion was made by Rose Kearney-Nunnery to approve one semester for Fall only for Northeastern Technical College to return January 2012 meeting and to submit a Faculty Roster. Samuel McNutt seconded the motion. The motion carried unanimously.</p>	<p style="text-align: center;"><u>NORTHEASTERN TECHNICAL COLLEGE FACULTY UPDATE</u></p> <p style="text-align: right;"><u>MOTION</u></p>
<p>Margaret Kroposki, PhD, RN, Assistant Dean Health Sciences/ Nursing Program Director, Lynn K. Lyons, Nursing Professor and Wanda Baker, RN, MN, FNP Academic Program Chair of Greenville Technical College appeared before the Board to discuss their Program Curriculum Change request.</p> <p>Discussion included, but was not limited to students needing more assessment and exercise with National Council Licensure Examination (NCLEX) questions, engaging different approaches while in the lab to assist the NCLEX passing rate, the use of on-line resources to help the students and interaction from the students. Greenville Technical College is set to start this program Fall 2012 with a Fall 2014 graduation. Advisors are already informing new students about the new curriculum that will start Fall 2012.</p> <p>A motion was made by Anne Crook to accept with great approval and to appear before the Board in July or September 2014 with the results. Carol Moody seconded the motion. The motion carried unanimously.</p>	<p style="text-align: center;"><u>GREENVILLE TECHNICAL COLLEGE AND PROGRAM CURRICULUM CHANGE REQUEST</u></p> <p style="text-align: right;"><u>MOTION</u></p>
<p>Laurie Harden, Program Director, Mary Walker, Dean, and David Sharp, Dean of South University appeared before the Board regarding full approval of their Baccalaureate Degree for Nursing Program. At its July 2008 meeting, the Board granted initial approval status to South University.</p>	<p style="text-align: center;"><u>SOUTH UNIVERSITY BACCALAUREATE DEGREE NURSING PROGRAM INITIAL TO</u></p>

<p>Rose Kearney-Nunnery recused herself from discussion due to previous employment with South University.</p> <p>Nancy Murphy request the Board to accept the April 20-23, 2010 report of the South University Commission on Collegiate Nursing Education (CCNE) site visit and consider granting the BSN program full approval status based on and concurrent with the CCNE accreditation action.</p> <p>A motion was made by Anne Crook to grant full approval for the South University Baccalaureate Degree Nursing program, and to report any substantive changes to the Board. Samuel McNutt seconded the motion. The motion carried unanimously.</p>	<p><u>FULL APPROVAL</u></p> <p><u>MOTION</u></p>
<p>Fortis College representatives Glenda P Sims, Director of Nursing; Charlotte Stoudmire, Regional Dean of Nursing; Paul Wright, Campus President; Syreeta Mill, Clinical Coordinator appeared before the Board to discuss Fortis College Associate Degree Nursing Program expanding the program's length from six to eight quarters.</p> <p>A motion was made by Rose Kearney-Nunnery to approve the Fortis College proposed Associate Degree Nursing Program curriculum timeframe change request from six to eight quarters as presented. Lisa Irvin seconded the motion. The motion carried unanimously</p>	<p><u>FORTIS COLLEGE AND PROGRAM CURRICULUM TIMEFRAME CHANGE REQUEST</u></p> <p><u>MOTION</u></p>
<p>Nurse Practice Act §40-33-20(52) "Readily available" means the physician must be in near proximity and is able to be contacted either in person or by telecommunications or other electronic means to provide consultation and advice to the nurse practitioner, certified nurse-midwife, or clinical nurse specialist performing delegated medical acts. When application is made for more than three NP's, CNM's, or CNS's to practice with one physician, <i>or when a NP, CNM, or CNS is performing delegated medical acts in a practice site greater than forty-five miles from the physician, the Board of Nursing and Board of Medical Examiners shall each review the application to determine if adequate supervision exists.</i></p> <p>Gina Alexander-Berrios, FNP appeared to request an exception per §40-33-20(52). She works at onsite facilities for Healthstat for five different facilities. She is requesting to use the same physician and the same backup physician for all five clinics. Dr. Henry is located 50.39 miles from the onsite clinic.</p> <p>A motion was made by Rose Kearney-Nunnery to approve Gina Alexander-Berrios request for reaching beyond the 45 mile radius. Anne Crook and Samuel McNutt seconded the motion. The motion carried unanimously.</p>	<p><u>APRN REQUESTING EXCEPTION TO 45 MILE RADIUS REQUIREMENT FOR PHYSICIAN SUPERVISION</u></p> <p><u>MOTION</u></p>
<p>Joel Orr, Leslie Connery, Christian Scientist Attorney, and Christine Filipovich, Nursing Consultant, RN, MSN appeared before the Board to discuss using the word/term "nurse" in addition to Christian Science when advertising locally.</p> <p>A motion was made by Carol Moody to go into executive session for the purpose of receiving legal counsel. Samuel McNutt seconded the motion. The motion carried unanimously.</p>	<p><u>CHRISTIAN SCIENCE COMMITTEE</u></p> <p><u>MOTION</u></p>

<p>A motion was made by Rose Kearney-Nunnery to leave executive session. Samuel McNutt seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p> <p>A motion was made by Anne Crook to that the Board take “no” action due to the proposal not being a nursing scope of practice concern. Rose Kearney-Nunnery seconded the motion. The motion carried unanimously.</p> <p>Rose Kearney-Nunnery made a motion to deny the request to use the term nurse in any combination. Samuel McNutt seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p>
<p>Joan Bainer introduced Peggy Dulaney, Chair, S.C. Nurses Association Peer Assistance Program in Nursing (PAPIN). Bernice Kennedy, Sheryl Montgomery, and Fred Astle also representing PAPIN were also introduced. Frank Sheheen and Rick Wilson of the Recovering Professional Program (RPP) were also present. PAPIN and RPP provide services to nurses who need assistance with substance abuse. A brief overview of PAPIN and its initiatives was provided to the Board.</p>	<p><u>PAPIN REPORT</u></p>
<p>Applicants for licensure appeared before the Board to discuss their application for licensure by examination or endorsement and “yes” answers to questions regarding convictions, charges, etc.</p> <p>4.1–An applicant for licensure as a registered nurse by endorsement appeared before the Board to discuss “yes” answers on the application.</p> <p>A motion was made by Rose Kearney-Nunnery to allow Applicant to endorse into South Carolina as a Compact registered nurse. Lisa Irvin seconded the motion. The motion carried unanimously.</p> <p>4.2–An applicant for licensure as a registered nurse by examination appeared before the Board to discuss “yes” answers on the application.</p> <p>A motion was made by Rose Kearney-Nunnery to allow Applicant to take the National Council Licensure Examination-Registered Nurse and upon successful completion be licensed as a registered nurse. Samuel McNutt seconded the motion. The motion carried unanimously.</p> <p>6.4–An applicant for licensure as a registered nurse by examination appeared before the Board to discuss “yes” answers on the application.</p> <p>A motion was made by Samuel McNutt to allow Applicant to take the National Council Licensure Examination-Registered Nurse and upon successful completion be licensed as a registered nurse. Anne Crook seconded the motion. The motion carried unanimously.</p> <p>6.2–An applicant for licensure as a licensed practical nurse by endorsement appeared before the Board to discuss “yes” answers on the application.</p>	<p><u>APPLICATION APPEARANCES</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p>

<p>A motion was made by Anne Crook to allow Applicant to endorse into South Carolina as a licensed practical nurse. Rose Kearney-Nunnery seconded the motion. The motion carried unanimously.</p> <p>6.1—An applicant for licensure as a registered nurse by examination appeared before the Board to discuss “yes” answers on the application.</p> <p>A motion was made by Rose Kearney-Nunnery for Applicant to complete Kaplan, o allow take the National Council Licensure Examination-Registered Nurse and upon successful completion be licensed as a registered nurse and. Samuel McNutt seconded the motion. The motion carried unanimously.</p> <p>6.3—An applicant for licensure as a registered nurse by examination appeared before the Board to discuss “yes” answers on the application.</p> <p>A motion was made by Carol Moody to allow Applicant to take the National Council Licensure Examination-Registered Nurse and upon successful completion be licensed as a registered nurse. James Mallory seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p>
<p>To determine appropriate disciplinary actions, the Board reviewed Disciplinary Hearing Panel Reports, transcripts and exhibits as well as memoranda of agreement stipulating to violations of the Nurse Practice Act as well as §40-1-110(F), S.C. Codes of Laws, as amended. Recovering Professional Program representatives were present to respond to questions regarding their clients.</p> <p>In Case #2009-291, Respondent signed a Memorandum of Agreement in lieu of a hearing admitting to violation of §40-33-110(A)(9),Nurse Practice Act. Respondent appeared before the Board and was represented by Jan Strifling.</p> <p>A motion was made by Rose Kearney-Nunnery to go into executive session for the purpose of receiving legal counsel in Case #2009-291. Samuel McNutt seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Rose Kearney-Nunnery to leave executive session. Samuel McNutt seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p> <p>A motion was made by Lisa Irvin in Case #2009-291 to issue a private reprimand and impose a civil penalty of \$150, successful completion of Medication Administration, Documentation and Medication Errors courses within six months. Samuel McNutt seconded the motion. The motion carried unanimously.</p> <p>In Case #2010-155, Respondent signed a Memorandum of Agreement in lieu of a hearing admitting to violation of §40-33-110(A)(3),Nurse Practice Act. Respondent appeared before the Board represented by T. Ryan Langley.</p> <p>A motion was made by Rose Kearney-Nunnery in Case #2010-155 to issue a private reprimand. Carol Moody seconded the motion. The motion carried unanimously.</p>	<p><u>OGC HEARINGS</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p>

In Case #2010-372 Respondent signed a Memorandum of Agreement in lieu of a hearing admitting to violation of §40-33-110(A)(21), Nurse Practice Act. Respondent appeared before the Board without legal counsel. Respondent was aware of his/her right to legal counsel and waived that right.

A motion was made by Lisa Irvin to go into executive session for the purpose of receiving legal counsel in Case #2010-372. Samuel McNutt seconded the motion. The motion carried unanimously.

MOTION

A motion was made by Rose Kearney-Nunnery to leave executive session. Samuel McNutt seconded the motion. The motion carried unanimously. No official actions were taken during executive session.

MOTION

Dean Grigg, Advice Counsel, explained the Memorandum of Agreement could not be dismissed; an action must be taken by the Board.

A motion was made by Samuel McNutt in Case #2010-372 to issue a public reprimand. Anne Crook seconded the motion. The motion carried unanimously.

MOTION

In Case #2010-289 Respondent signed a Memorandum of Agreement in lieu of a hearing admitting to violation of §40-33-110(A)(18), Nurse Practice Act. Respondent appeared before the Board without legal counsel. Respondent was aware of his/her right to legal counsel and waived that right.

Due to geographic proximity to her school, Board President Sylvia Whiting recused herself from discussion and vote. Board Vice-President Rose Kearney-Nunnery presided.

A motion was made by Carol Moody to go into executive session for the purpose of receiving legal counsel in Case #2010-289. Lisa Irvin seconded the motion. The motion carried unanimously.

MOTION

A motion was made by Lisa Irvin to leave executive session. Samuel McNutt seconded the motion. The motion carried unanimously. No official actions were taken during executive session.

MOTION

A motion was made by Samuel McNutt in Case #2010-289 to issue a private reprimand, require completion of a Board-approved Medication Administration and Documentation course and a Legal Aspects course, within six months. Carol Moody seconded the motion. The motion carried unanimously.

MOTION

In Case #2010-296 Lisa Irvin recused herself due to a relationship with Respondent. A quorum was still present.

Respondent signed a Memorandum of Agreement in lieu of a hearing admitting to violation of §40-33-110(A)(18), Nurse Practice Act. Respondent appeared before the Board without legal counsel. Respondent was aware of his/her right to legal counsel and waived that right.

A motion was made by Carol Moody to go into executive session for the purpose of receiving legal counsel in Case #2010-296. Samuel McNutt seconded the motion. The motion carried unanimously.

MOTION

A motion was made by Carol Moody to leave executive session. Samuel McNutt seconded the motion. The motion carried unanimously. No official actions were taken during executive session.

MOTION

A motion was made by Carol Moody in Case #2010-296 to issue a public reprimand and impose a civil penalty of \$250 and require Respondent to complete Board approved courses in Legal Aspects, Ethics and Critical Thinking within six months. Samuel McNutt seconded the motion. The motion carried unanimously.

MOTION

In Case #2009-381 Respondent signed a Memorandum of Agreement in lieu of a hearing admitting to violation of §40-33-110(A)(3), (9) and (18), Nurse Practice Act. Respondent appeared before the Board without legal counsel. Respondent was aware of his/her right to legal counsel and waived that right.

A motion was made by Rose Kearney-Nunnery to go into executive session for the purpose of receiving legal counsel in Case #2009-381. Samuel McNutt seconded the motion. The motion carried unanimously.

MOTION

A motion was made by Rose Kearney-Nunnery to leave executive session. Carol Moody seconded the motion. The motion carried unanimously. No official actions were taken during executive session.

MOTION

A motion was made by Samuel McNutt in Case #2009-381 to issue a public reprimand, impose a \$750 civil penalty and require completion of Board-approved Medication Administration, Documentation, Ethics and Critical Thinking courses within six months. Lisa Irvin seconded the motion. The motion carried unanimously.

MOTION

In Case #2010-484, Respondent signed a Memorandum of Agreement in lieu of a hearing admitting to violation of §40-1-110(F), S.C. Codes of Laws, as amended. Respondent appeared before the Board without legal counsel. Respondent was aware of his/her right to legal counsel and waived that right.

A motion was made by Carol Moody in Case #2010-484 to go into executive session for the purpose of receiving legal counsel. Rose Kearney-Nunnery seconded the motion. The motion carried unanimously.

MOTION

A motion was made by Rose Kearney-Nunnery to leave executive session. Carol Moody seconded the motion. The motion carried unanimously. No official actions were taken during executive session.

MOTION

A motion was made by Samuel McNutt in Case #2010-484 to issue a private reprimand. Rose Kearney-Nunnery seconded the motion. The motion carried unanimously.

MOTION

The Board was provided with the Resolutions Committee Report with recommendations from its meetings held since the March Board meeting. The Disciplinary Sanctions Guidelines is used in making these recommendations.

RESOLUTIONS
COMMITTEE REPORT

<p>A motion was made by Rose Kearney-Nunnery to approve May 19, 2011 Dismissals (Case #2009-198, 2010-363, 2010-435, 2010-470, and 2010-495) as recommended by the Resolutions Committee. Lisa Irvin seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>A motion was made by Rose Kearney-Nunnery to approve May 19, 2011 Dismissals with Letters of Concern (Case #2010-417, 2011-17 and 2011-85) as recommended by the Resolutions Committee. Samuel McNutt seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>A motion was made by Samuel McNutt to approve May 19, 2011 Formal Complaints (Case # 2009-453, 2009-464, 2010-138, 2010-149, 2010-192, 2010-245, 2010-254, 2010-273, 2010-326, 2010-339, 2010-387, 2010-388, 2010-447, 2010-452, 2010-459, 2010-460, 2010-461, 2010-471, 2010-472, 2010-484, 2010-499, 2010-500, 2010-501, 2010-502, 2010-503, 2010-509, 2010-511, 2010-252, 2010-531, 2011-1, 2011-2, 2011-14, and 2011-55) as recommended by the Resolutions Committee. Anne Crook seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>Mark Sanders introduced Gil Altman as the new Program Coordinator for the Office of Investigations and Enforcement.</p>	
<p>A motion was made by Rose Kearney-Nunnery to approve July 28, 2011 Dismissals (Case # 2010-252, 2010-385, 2010-391, 2010-451, 2010-480, 2011-9, 2011-10, 2011-113, 2011-115, 2011-116, 2011-117 and 2010-523) as recommended by the Resolutions Committee. Lisa Irvin seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>A motion was made by Rose Kearney-Nunnery to approve July 28, 2011 Dismissals with Letters of Concern (Case #2010-412, 2010-518, 2011-13, 2011-94 and 2011-163) as recommended by the Resolutions Committee. Samuel H. McNutt seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>A motion was made by Samuel H. McNutt to approve July 28, 2011 Formal Complaints (Case # 2009-90, 2009-192, 2009-333, 2009-440, 2010-17, 2010-49, 2010-176, 2010-209, 2010-216, 2010-295, 2010-299, 2010-348, 2010-349, 2010-364, 2010-366, 2010-367, 2010-390, 2010-397, 2010-399, 2010-408, 2010-427, 2010-441 - 2010-445, 2010-449, 2010-453 – 2010-455, 2010-265, 2010-466, 2010-479, 2010-485 – 2010-487, 2010-490, 2010-496, 2010-497, 2010-514, 2010-521, 2010-522, 2010-526, 2010-535, 2011-15, 2011-20, 2011-21, 2011-23, 2011-28, 2011-59, 2011-60, 2011-96, 2011-98, 2011-103, 2011-107, 2011-108, 2011-110, 2011-155 and 2011-164) as recommended by the Resolutions Committee. Anne Crook seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>Mark Sanders answered questions regarding case number #2011-59.</p>	
<p>Applicants for licensure by examination and endorsement appeared before the Board to discuss their application, criminal background check as well as answers to the application question regarding criminal convictions.</p>	<p><u>APPLICATION APPEARANCES</u></p>

<p>8.2—An applicant for licensure by endorsement as a registered nurse appeared before the Board to discuss “yes” answers on the application.</p>	
<p>A motion was made by Lisa Irvin to go into executive session for the purpose of receiving legal counsel. Samuel McNutt seconded the motion. The motion carried unanimously.</p>	
<p>A motion was made by Lisa Irvin to leave executive session. Anne Crook seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p>	<u>MOTION</u>
<p>A motion was made by Lisa Irvin to allow the Applicant to endorse into South Carolina as a registered nurse, that Applicant be evaluated by Recovering Professional Program (RPP), based on RPP finding Applicant could enroll with RPP or complete Consent Agreement on file with the State of North Carolina. Samuel McNutt seconded the motion. The motion carried unanimously.</p>	<u>MOTION</u>
<p>8.4—An applicant for licensure by endorsement as a licensed practical nurse appeared before the Board to discuss “no” answers on the application; however the Criminal Background Check indicated “Prior Arrest Data” on file.</p>	
<p>A motion was made by Samuel McNutt to go into executive session for the purpose of receiving legal counsel. Rose Kearney-Nunnery seconded the motion. The motion carried unanimously.</p>	<u>MOTION</u>
<p>A motion was made by Samuel McNutt to leave executive session. Rose Kearney-Nunnery seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p>	<u>MOTION</u>
<p>A motion was made by Samuel McNutt to reject the application to endorse into South Carolina as a licensed practical nurse until matter in California is resolved, when the matter is resolved, can re-apply for endorsement. Carol Moody seconded the motion. The motion carried unanimously.</p>	<u>MOTION</u>
<p>11.15—An applicant for licensure as a registered nurse by examination appeared before the Board to discuss “yes” answers on the application.</p>	
<p>A motion was made by Rose Kearney-Nunnery to allow Applicant to take the National Council Licensure Examination-Registered Nurse and upon successful completion be licensed as a registered nurse. Samuel McNutt seconded the motion. The motion carried unanimously.</p>	<u>MOTION</u>
<p>8.1—Applicant failed to make an appearance before the Board to determine licensure by endorsement.</p>	
<p>A motion was made to deny the application pending a personal appearance. The motion received a second. The motion carried unanimously.</p>	<u>MOTION</u>
<p>The Board deferred discussion regarding information on the Institute of Medicine’s (IOM) Regulatory Action Committee (RAC) until September 2011 Board meeting.</p>	<u>IOM REGULATORY ACTION COMMITTEE (RAC)</u>

<p>Joan Bainer informed the Board members all compliance matters will now be handled by the Nursing Board staff. She explained to the Board that the Disciplinary Review Committee no longer exists. Board staff will be utilizing the Disciplinary Sanction Chart for non-compliance related issues. Ms. Bainer further explained that the Board staff will be responsible for all worksite monitoring approvals. She announced that the Resolutions Committee will now be called the Investigative Review Committee (IRC).</p>	<p><u>BOARD OF NURSING COMPLIANCE RESPONSIBILITIES</u></p> <p><u>DRC COMMITTEE</u></p>
<p>Joan Bainer asked the Board to approve members for the Investigative Review Committee (IRC). She asked if the IRC could consist of the Board Administrator and a public nursing member. Her recommendations were approve Kathleen Crispin, Brenda Martin, and Chris Haviland. Dean Grigg informed the Board as information the Director of Labor, Licensing and Regulations stated that no current board members sit on any board IRC.</p> <p>A motion was made by Rose Kearney-Nunnery to approve Chris Haviland, Brenda Martin and Kathleen Crispin to serve for the Investigative Review Committee. Samuel McNutt seconded the motion. The motion carried unanimously.</p>	<p><u>IRC DRC MEMBERSHIP</u></p> <p><u>MOTION</u></p>
<p>Nancy Murphy proposed a revision to the Policy on Civil Penalties for Unauthorized Nursing Practices.</p> <p>Board members were provided with a copy of the proposed changes for their review and approval.</p> <p>A motion was made by Samuel McNutt to accept the proposed changes to the Policy on Civil Penalties for Unauthorized Nursing Practice and leave the fine as is. Anne Crook seconded the motion. The motion carried unanimously.</p>	<p><u>PROPOSED DRAFT REVISIONS – POLICY ON CIVIL PENALTIES FOR UNAUTHORIZED NURSING PRACTICE</u></p> <p><u>MOTION</u></p>
<p>Nancy Murphy reported that the Agency Director had chosen the Nursing Board to be the first board in the project to put all licensure applications online. The examination application has been on–line for about two years. The endorsement application will be the next to be introduced to on-line process.</p>	<p><u>ON-LINE APPLICATIONS</u></p>
<p>As requested by the Board, Joan Bainer researched and provided more information regarding case number #2010-523 from the Resolutions Committee Report.</p> <p>A motion was made by Rose Kearney-Nunnery to approve July 28, 2011 Dismissals for case number #2010-523 as recommended by the Resolutions Committee. Lisa Irvin seconded the motion. The motion carried unanimously.</p>	<p><u>RESOLUTIONS COMMITTEE REPORT – CONTINUED</u></p> <p><u>MOTION</u></p>
<p>Birdie Felkel provided the Board with proposed changes to the Advisory Opinion Supplement on the Nursing Management of Invasive Devices (Catheters, Lines and Tubes). She proposed adding Coude' Catheters without Stylet to the Genitourinary Chart for RNs and LPNs.</p> <p>A motion was made by Samuel McNutt to accept the changes regarding the Genitourinary Chart, the Coude Catheters Without Stylet. Rose Kearney-Nunnery seconded the motion. The motion carried unanimously.</p>	<p><u>GENITO URINARY CHART/COUDE CATHERTERS WITHOUT STYLET</u></p> <p><u>MOTION</u></p>

OGC HEARINGS

To determine appropriate disciplinary actions, the Board reviewed Disciplinary Hearing Panel Reports along with transcripts and exhibits as well as memoranda of agreement stipulating to violations of the Nurse Practice Act as well as 40-1-110(F), S.C. Codes of Laws, as amended. Respondents appeared before the Board to respond to questions. Representatives from the Recovering Professional Program were present to respond to any questions from the Board in cases regarding their clients.

In Case #2010-37, Respondent requested modification of his/her order to remove the narcotics restriction and to add the possibility of anesthesiologist supervision in lieu of registered nurse supervision. Respondent appeared before the Board without legal counsel. Respondent was aware of his/her right to legal counsel and waived that right.

A motion was made by Samuel McNutt in Case #2010-37 to remove the narcotics restriction from the Consent Agreement and for the supervision requirement to include the possibility of being supervised by an anesthesiologist. Rose Kearney-Nunnery seconded the motion. The motion carried unanimously.

MOTION

In Case #2009-138, Respondent requested to have the narcotics restriction removed from his/her order. Respondent appeared before the Board without legal counsel. Respondent was aware of his/her right to legal counsel and waived that right.

A motion was made by Rose Kearney-Nunnery in Case #2009-138 to remove the narcotics restriction from the Consent Agreement. Samuel McNutt seconded the motion. The motion carried unanimously.

MOTION

In Case #2008-494, Respondent failed to appear before the Board. The purpose of the hearing was to determine whether Respondent should be granted a license by examination.

A motion was made to deny the application pending a personal appearance by the applicant. The motion received a second. The motion carried unanimously.

MOTION

In Case #2008-137, Respondent requested that the probation, registered nurse supervision and quarterly reports provisions be lifted from his/her order. Respondent appeared before the Board without legal counsel. Respondent was aware of his/her right to legal counsel and waived that right.

Lisa Irvin recused herself due to her relationship with Respondent. A quorum was still present.

A motion was made by Rose Kearney-Nunnery to go into executive session for the purpose of receiving legal counsel in Case #2008-137. Samuel McNutt seconded the motion. The motion carried unanimously.

MOTION

A motion was made by Samuel McNutt to leave executive session. Rose Kearney-Nunnery seconded the motion. The motion carried unanimously. No official actions were taken during executive session.

MOTION

<p>A motion was made by Rose Kearney-Nunnery in Case #2008-137 to revise Probation Order by lifting on site, on-shift supervision and Respondent will be required to have each employer submit quarterly written reports as soon as employment begins. Samuel McNutt seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>Applicants for licensure by examination and endorsement appeared before the Board to respond to questions regarding their application, criminal background check as well as their responses to the application question regarding criminal convictions.</p> <p>8.3—An applicant for licensure by endorsement as a registered nurse appeared before the Board to discuss “yes” answers on the application.</p>	<p><u>APPLICATION APPEARANCES</u></p>
<p>A motion was made by Rose Kearney-Nunnery to allow Applicant to endorse into South Carolina as a registered nurse. Samuel McNutt seconded the motion. The motion carried unanimously.</p> <p>11.8—An applicant for licensure as a practical nurse by examination appeared before the Board to discuss “yes” answers on the application.</p>	<p><u>MOTION</u></p>
<p>A motion was made by Rose Kearney-Nunnery to allow Applicant to take the National Council Licensure Examination-Practical Nurse and upon successful completion be licensed as a practical nurse. Samuel McNutt seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>Birdie Felkel provided information on the APRN Roundtable she attended in May 2011. The topics discussed included 2011 Legislative Session/Update on APRN Bills; Practice Autonomy, Prescribing Authority, Board Disciplinary Actions, National Council State Board of Nursing Study results; Health Reform and Emerging APRN Policy Issues; and the Future of Nursing Region Action Coalitions (RACS). These topics may be viewed at NCSBN.org under Nursing Initiatives, APRN Consensus Model, and the Model Toolkit.</p>	<p><u>APRN ROUNDTABLE UPDATE</u></p>
<p>Birdie Felkel provided the Board with the Office of Investigation and Enforcement (OIE) graphs for the first and second quarters of 2011. She explained that the OIE cases closed versus pending cases provide transparency as was the goal of the Board with these graphs.</p>	<p><u>OIE DATA GRAPH - 2011 FIRST QTR (JAN-MARCH) & SECOND QTR (APR-JUNE)</u></p>
<p>Joan Bainer informed the Board of fee changes implemented by the Director. The \$7 Recovering Professional Program fee has been removed. Verification fees are reduced to \$5.00. A \$25.00 Walk-In fee was put into place if an applicant decides to walk in for services that could be completed online</p>	<p><u>ADMINISTRATORS REPORT – REDUCTION IN FEES</u></p>
<p>Joan Bainer recommended that the Board defer the discussion of the 2011 Annual Leadership Nursing Summit Report until September 2011 Board meeting.</p>	<p><u>2011 ANNUAL LEADERSHIP NURSING SUMMIT</u></p>
<p>The Board was provided with Guidelines for Approval of Non-Routine Licensure Applications for review and approval. Ms. Bainer asked approval for President, Vice President and Administrator to approve criminal background checks using three tiers 1) Administrator approvals; 2) President, Vice</p>	<p><u>NON-ROUTINE LICENSURE APPLICATIONS</u></p>

<p>President and Administrator review and approval; and 3) Board appearance.</p> <p>A motion was made by Anne Crook to approve the Guidelines for Approval of Non-Routine Licensure Applications as presented. Samuel McNutt seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Anne Crook for names to remain on the list after the Administrator review to be reviewed by either the Board President, if she is not available, the Board Vice-President, for additional review and action and that any applications remaining will come before the Board. Samuel McNutt seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p> <p><u>MOTION</u></p>
<p>Joan Bainer provided the Board with information on the 2011 National Counsel of States Boards of Nursing (NCSBN) Annual Meeting and Delegate Assembly, including Slate of Candidates and Summary of Recommendations. She stated that Board President Sylvia Whiting, Board Vice President Rose Kearney as well as Nancy Murphy and herself would be attending the meeting. She recommended that Nancy Murphy and Sylvia Whiting represent the Board of Nursing as voting members at Delegate Assembly.</p> <p>A motion was made by Anne Crook to allow Nancy Murphy and Sylvia Whiting to have the authority to vote and represent the Board in the decisions at the Assembly. Lisa Irvin seconded the motion. The motion carried unanimously.</p>	<p><u>NCSBN DELEGATE ASSEMBLY – SLATE OF CANDIDATES & SUMMARY OF RECOMMENDATIONS</u></p> <p><u>MOTION</u></p>
<p>Joan Bainer announced she would be receiving an award for being nurse administrator for greater than five years and as a Fellow from the Institute of Regulatory Excellence. Her research was on Teaching Related to Regulations and Experience (TREE)/Legal Aspects Workshop. She reported also was one of the co-authors of the NCSBN Substance Abuse Manual.</p> <p>A motion was made by Anne Crook to recognize Joan Bainer's accomplishments in the minutes. Samuel McNutt seconded the motion. The motion carried unanimously.</p>	<p><u>RECOGNITION FOR NURSE ADMINISTRATOR FOR MORE THAN 5 YEARS</u></p> <p><u>MOTION</u></p>
<p>Hearing panel member vacancies are not advertised. Nominees are recommended by members of the nursing community. The Board reviewed the nomination application and curriculum vitae of Kathleen Winfield.</p> <p>A motion was made by Rose Kearney-Nunnery to deny approval to appoint Kathleen Winfield, RN as a hearing panel member due to her education level. Samuel McNutt seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Anne Crook for Nursing Board Hearing Panel Members to have a minimum of a graduate degree in nursing. Samuel McNutt seconded the motion. The motion carried unanimously.</p>	<p><u>NURSING BOARD PANEL MEMBER</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p>
<p>Applicants for licensure by examination or endorsement appeared to respond to questions regarding their application, criminal background check as well as their responses to the application question regarding criminal convictions.</p> <p>11.4–Applicant requested to defer his/her examination application.</p>	<p><u>APPLICATION APPEARANCES</u></p>

11.10–Applicant failed to appear regarding his/her endorsement application.	
11.13–Applicant failed to appear regarding his/her examination application.	
11.14–Applicant failed to appear regarding his/her endorsement application	
11.16–Applicant failed to appear regarding his/her endorsement application	
A motion was made to deny the above applicants pending a personal appearance before the Board. The motion received a second. The motion carried unanimously.	<u>MOTION</u>
11.1–An applicant for licensure as a registered nurse by endorsement appeared before the Board to discuss “yes” answers on his/her application.	
A motion was made by Rose Kearney-Nunnery to allow the applicant to endorse into South Carolina as a Single State registered nurse. Samuel McNutt seconded the motion. The motion carried unanimously.	<u>MOTION</u>
11.2–An applicant for reinstatement of his/her registered nurse license appeared before the Board to discuss “yes” answers on the application.	
A motion was made by Rose Kearney-Nunnery to allow Applicant to reinstate his/her license and to issue a private reprimand and to impose a civil penalty of \$2000. Anne Crook seconded the motion. The motion carried unanimously.	<u>MOTION</u>
11.3–An applicant for reinstatement of his/her registered nurse license appeared before the Board to discuss “yes” answers on the application.	
A motion was made by Rose Kearney-Nunnery to allow Applicant to reinstate his/her license, to issue a private reprimand and to impose a civil penalty of \$2000. James Mallory seconded the motion. The motion carried unanimously.	<u>MOTION</u>
11.5 –An applicant for licensure by reinstatement of his/her licensed practical nurse license appeared before the Board to discuss “yes” answers on the application.	
A motion was made by Samuel McNutt to go into executive session for the purpose of receiving legal counsel. Lisa Irvin seconded the motion. The motion carried unanimously.	<u>MOTION</u>
A motion was made by Samuel McNutt to leave executive session. Rose Kearney-Nunnery seconded the motion. The motion carried unanimously. No official actions were taken during executive session	<u>MOTION</u>
A motion was made by Lisa Irvin to allow Applicant to reinstate his/her license after completion of thirty continuing education hours demonstrating competency and to include thirty continuing education hours needed for 2012 renewal. Rose Kearney-Nunnery seconded the motion. The motion carried unanimously.	<u>MOTION</u>
11.6–An applicant for licensure as a licensed practical nurse by endorsement	

appeared before the Board to discuss “yes” answers on the application.

A motion was made by Rose Kearney-Nunnery to allow Applicant to endorse into South Carolina as a Compact licensed practical nurse. Samuel McNutt seconded the motion. The motion carried unanimously.

MOTION

11.7–An applicant for licensure as a licensed practical nurse by examination appeared before the Board to discuss “yes” answers on the application.

A motion was made by Rose Kearney-Nunnery to allow Applicant to take the National Council Licensure Examination-Practical Nurse (NCLEX-PN) and upon successful completion be licensed as a practical nurse. Anne Crook seconded the motion. The motion carried unanimously.

MOTION

11.9-An applicant for licensure as a registered nurse by examination appeared before the Board to discuss “yes” answers on the application.

A motion was made by Anne Crook to allow Applicant to take the National Council Licensure Examination-Registered Nurse (NCLEX-RN) and upon successful completion be licensed as a registered nurse. Samuel McNutt seconded the motion. The motion carried unanimously.

MOTION

11.11–An applicant for licensure as a registered nurse by examination appeared before the Board to discuss “yes” answers on the application.

A motion was made by Lisa Irvin to go into executive session for the purpose of receiving legal counsel. Samuel McNutt seconded the motion. The motion carried unanimously.

MOTION

A motion was made by Samuel McNutt to leave executive session. Lisa Irvin seconded the motion. The motion carried unanimously. No official actions were taken during executive session

MOTION

A motion was made by Samuel McNutt to allow Applicant to take the National Council Licensure Examination-Registered Nurse and upon successful completion of an ethics course be licensed as a registered nurse. James Mallory seconded the motion. The motion carried unanimously.

MOTION

11.12 – An applicant for licensure as a registered nurse by examination appeared before the Board to discuss “yes” answers on the application.

A motion was made by Samuel McNutt to go into executive session for the purpose of receiving legal counsel. Lisa Irvin seconded the motion. The motion carried unanimously.

MOTION

A motion was made by Lisa Irvin to leave executive session. Carol Moody seconded the motion. The motion carried unanimously. No official actions were taken during executive session

MOTION

A motion was made by Samuel McNutt to allow the applicant to take the National Council Licensure Examination-Registered Nurse and upon successful completion of a mental health examination by Board approved

MOTION

psychiatrist with the results being reported back to the Board be licensed as a registered nurse. Anne Crook seconded the motion. The motion carried unanimously.	
A motion was made by Anne Crook to adjourn the meeting at 3:15 p.m. on July 29, 2011. Samuel H. McNutt seconded the motion. The motion carried unanimously	<u>MOTION TO ADJOURN</u>

The recording of this meeting can be viewed at <http://www.llronline.com/granicus.asp>.