

**SC DEPARTMENT OF LABOR, LICENSING AND REGULATION**  
 110 CENTERVIEW DRIVE, COLUMBIA, SOUTH CAROLINA 29210

**MARCH 26-27, 2009 BOARD OF NURSING MEETING MINUTES**

<p>President Lewis called the March 26 - 27, 2009 Board of Nursing meeting to order at 8:30 a.m. Public notice of this meeting was properly posted at the board offices and provided to all requesting persons, organizations, and news media in compliance with the South Carolina Freedom of Information Act. A quorum was present at all times. The Board's mission was read.</p>	<p align="center"><u>CALL TO ORDER</u>  <u>PLACE OF MEETING</u>  <u>&amp; FOIA COMPLIANCE</u></p>
<p>C. Lynn Lewis, RN, EdD, MHS, President          Congressional District 3 .....Present</p> <p>Sylvia A. Whiting, PhD, APRN-BC, Vice-President          Congressional District 1 .....Present</p> <p>Trey Pennington, MBA, MS, Secretary          Public Member ..... Excused Absence</p> <p>Carrie H. James, RN, MSN, CNA-BC, CCE          Congressional District 6 .....Present</p> <p>Rose Kearney-Nunnery, RN, PhD, CNE          Congressional District 2 .....Present</p> <p>Brenda Y. Martin, RNC, MN, CNAA          Congressional District 5 .....Present</p> <p>One Registered Nurse Vacancy- Congressional District 4          Two Licensed Practical Nurse Vacancies- Regions I &amp; II          One Public Member Vacancy</p>	<p align="center"><u>BOARD MEMBERS</u>  <u>PRESENT &amp; VOTING</u></p>
<p>Joan Bainer, RN, MN, NE BC, Board Administrator          Nancy Murphy, RN, MS, BC, CPM, Program Nurse Consultant-          Physical Therapy          Phyllis Raynor, RN, MSN, Program Nurse Consultant - Practice          Sheridon Spoon, Associate General Counsel          Jocelyn Andino, Assistant General Counsel          David Christian, III, Asst. Dep. Dir., Office of Licensure &amp; Compliance          Dwight Hayes, Office of Licensure and Compliance          Kathy Meadows, Office of Investigations and Enforcement          Shirley Robinson, Hearing Counsel</p>	<p align="center"><u>STAFF MEMBERS</u>  <u>PRESENT &amp;</u>  <u>PARTICIPATING IN</u>  <u>CERTAIN AGENDA</u>  <u>ITEMS</u></p>
<p>The March 26-27, 2009 Board of Nursing meeting agenda was presented to the Board for review and approval.</p> <p>A motion was made by Sylvia Whiting to approve the March 26-27, 2009 meeting agenda changing Items <i>Use of DBT in Recovery Programs</i> and <i>Reaching Out to Clients and their Families</i> from action to discussion. Brenda Martin seconded the motion. The motion carried unanimously.</p>	<p align="center"><u>APPROVAL OF</u>  <u>AGENDA</u></p> <p align="center"><u>MOTION</u></p>



This issue was taken up in response to research by Linda Aiken which concluded that more education equates to safer practice. The worldwide education standard is moving toward baccalaureate in science (BSN) degree for nursing. The question is how to move toward that standard. Currently, two thirds of the United States nurses are associate degree prepared (ADN) nurses. One option would require ADN prepared nurses obtain their BSN degree within ten years of licensure. The question arose as to what happens at the end of the ten years if the nurse has not obtained the BSN. Discussion included but was not limited to: raising general education courses in ADN programs to a level that would easily transfer to BSN, Colleagues in Caring articulation model, employer requirement for BSN nurses, employers giving incentives to obtain a higher level education, encouraging students entering into ADN programs to use it as a step toward their BSN, and counseling students in future education goals.

NCLA Changes

Currently, there are 23 states in the Compact including South Carolina. Missouri has legislation that is moving forward. Recent changes in the Compact Rules are now being implemented throughout the Compact states.

Medication Assistant – Certified (MA-C)

Dr. Chornick spoke about the Medication Assistant – Certified (MA-C). Currently, 28 states have medication assistants. Seven states are piloting the program and seven are proposing legislation. In 2005, NSCBN was asked to develop a model curriculum. The model curriculum includes five segments with 60 hours of didactic and 40 hours of clinical. One must first be a certified nursing assistant before beginning the MA-C program. Dr. Chornick shared model legislation with the Board administrator.

Dr. Lewis and Ms. Murphy attended the National Council of State Boards of Nursing (NCSBN) Mid-Year Meeting. Dr. Lewis found the exercises with the executive officers and presidents to be very informative. Effective and deliberate communication between executive officers and presidents was encouraged. Ms. Murphy shared her documentation and information from the Mid-Year meeting with the Board.

NCSBN MID-YEAR MEETING

The Board discussed possible dates for its 2009 Strategic Planning Retreat. The 2009 Strategic Planning Retreat will be held on May 15, 2009, the second day of the May Board meeting. The Board considered possible agenda items which included but were not limited to baccalaureate nursing degree to doctoral degree, NCSBN Mission, Vision and Values, Chemical Dependency Committee Update, and Dialectical Behavioral Therapy (DBT) research.

BOARD OF NURSING RETREAT

Minutes

The Board reviewed the minutes of the October 2008 Advisory Committee on Nursing Meeting Minutes.

ADVISORY COMMITTEE ON NURSING

A motion was made by Rose Kearney-Nunnery to accept the October 2008 Advisory Committee on Nursing Meeting Minutes as presented. Sylvia Whiting seconded the motion. The motion carried unanimously.

MOTION



<p>Chapter could assist with this problem. Ms. Dulaney told Dr. Whiting that this issue will be discussed at an upcoming meeting. The SCNA Psychiatric-Mental Health Chapter Executive Committee will be contacting Kathy Pearson who represents SCNA on the RPP Advisory Committee. Judy Thompson expressed concern and noted that the PAPIN groups are run by volunteers which are hard to find. She anticipates a meeting at the end of April. Dr. Whiting hopes these Psychiatric-Mental Health Chapters can provide education. Ms. Bainer is currently serving on the NCSBN Chemical Dependency Committee. She noted that their research showed the importance of family in recovery.</p>	
<p>The Board reviewed the Disciplinary Review Committee (DRC) Meeting Minutes from February 12, 2009.</p> <p>A motion was made by Rose Kearney-Nunnery made to approve the February 12, 2009 Disciplinary Review Committee (DRC) Meeting Minutes as presented. Carrie Houser James seconded the motion. The motion carried unanimously.</p>	<p><u>DRC MINUTES &amp; REPORT</u></p> <p><u>MOTION</u></p>
<p>Ms. Bainer reported that she had spoken with the Department of Labor, Licensing and Regulation-Office of Communications and Governmental Affairs about possibility of developing a compact disk commemorating the Celebration of 100 Years of Nursing Regulation in South Carolina. Their department cannot take on a project of this size at this time. Their suggestion was to possibly utilize Education Television (ETV); however, the cost for the project is estimated at \$10,000 which is not fiscally feasible at this time. Ms. Apple stated that the National Council of State Boards of Nursing (NCSBN) resource fund could provide some funding. Discussion included but was not limited to: possibility of a graduate student taking on as a project, working with the USC College of Communications, working with S.C. Nurses Association and nursing education programs to gather historical information, potential conflict in acceptance of outside funds, possible involvement of the museum, interviewing current and past board members, administrators and staff and formation of a Centennial Celebration Committee.</p> <p>A motion was made by Rose Kearney-Nunnery to ask the Advisory Committee on Nursing (ACON) to form a Centennial Celebration Committee. Brenda Martin seconded the motion. The motion carried unanimously.</p>	<p><u>CELEBRATION FOR 100 YEARS OF REGULATION</u></p> <p><u>MOTION</u></p>
<p><u>Minutes</u> The Board reviewed the November 2008 Advanced Practice Committee Meeting Minutes.</p> <p>A motion was made by Sylvia Whiting to accept the November 2008 Advanced Practice Committee Meeting Minutes with changes. Rose Kearney-Nunnery seconded the motion. The motion carried unanimously.</p> <p><u>Advisory Opinions</u> The Board reviewed new Advisory Opinion #54 “<i>What is within the role and scope of responsibility of the registered nurse (RN) in the administration of an anesthetic regional block?</i>” Discussion included but was not limited to:</p>	<p><u>ADVANCED PRACTICE COMMITTEE</u></p> <p><u>MOTION</u></p>

<p>changing “should have completed Advanced Cardiac Life Support” to “must have completed Advanced Cardiac Life Support,” and changing terms such as “crash cart” to more technical names.</p> <p>A motion was made by Rose Kearney-Nunnery to approve Advisory Opinion #54 “<i>What is within the role and scope of responsibility of the registered nurse (RN) in the administration of an anesthetic regional block?</i>” with editorial changes. Sylvia Whiting seconded the motion. The motion carried unanimously.</p> <p><u>Recommendation Regarding Pharmacotherapeutics for APRNs</u>  The Board reviewed changes to the <i>Position Statement on Pharmacotherapeutics Education Required for Prescriptive Authority Application</i> recommended by the Advanced Practice Committee. Due to the improvement in online education programs since adoption of this position statement in July 2004 and the limited number of “live” pharmacotherapeutic education programs, the Advanced Practice Committee recommends “2. A maximum of fifteen percent (15%) of the total required pharmacotherapeutics education may be obtained by approved correspondence, or audiotape or journal courses. For initial applications, this is a limit of 6.75 hours, and for renewal applications, a limit of three (3) contact hours.” be removed from the position statement.</p> <p>A motion was made by Rose Kearney-Nunnery to remove “2. A maximum of fifteen percent (15%) of the total required pharmacotherapeutics education may be obtained by approved correspondence, or audiotape or journal courses. For initial applications, this is a limit of 6.75 hours, and for renewal applications, a limit of three (3) contact hours.” from the <i>Position Statement on Pharmacotherapeutics Education Required for Prescriptive Authority Application</i>. Sylvia Whiting seconded the motion. The motion carried unanimously.</p>	<p style="text-align: right;"><u>MOTION</u></p> <p style="text-align: right;"><u>MOTION</u></p>
<p><u>Minutes</u>  The Board reviewed December 2008 Nursing Practice and Standards Committee Meeting Minutes.</p> <p>A motion was made by Sylvia Whiting to accept the December 2008 Nursing Practice and Standards Committee Meeting Minutes as presented. Rose Kearney-Nunnery seconded the motion. The motion carried unanimously.</p> <p><u>Advisory Opinions</u>  The Board also reviewed changes to Advisory Opinion 24 as well as the review with no changes to Advisory Opinion 9b.</p> <p>A motion was made by Brenda Martin to approve revisions to Advisory Opinion #24 “<i>Is it within the role and scope of responsibility of the registered nurse (RN) to insert the intraosseous infusion device, and administer fluids, blood and blood products and medications to the pediatric patient?</i>” Rose Kearney-Nunnery seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Sylvia Whiting to accept the Nursing Practice and</p>	<p style="text-align: right;"><u>NURSING PRACTICE AND STANDARDS COMMITTEE</u></p> <p style="text-align: right;"><u>MOTION</u></p> <p style="text-align: right;"><u>MOTION</u></p>





end, a large number of nurses forget to or do not renew their licenses for a variety of reasons and continue to practice. The list of licensees who did not renew is posted on the Board's Web site as a service to employers and the public. Nurses were given the opportunity to reinstate their license online and pay the fine online to get their license. As with the paper reinstatement, it is on the honor system as to whether they worked or not. Ms. Bainer explained that in the past the licensee paid their fine based on a consent agreement. Mr. Christian explained that if it was a first offense and they chose not to pay the fine they would then go through the consent agreement process. Mr. Hayes stated that this process prevented drafting as many consent agreements. The process is different for second offenses per the policy. For future renewals, 5 business days after the final postmark date accepted, cease and desist letters signed by the administrator will be sent to the 4,000 – 5,000 nurses who typically do not renew. Pursuant to the Board's policy, nurses who have a lapsed license but have not practiced as a nurse are not fined. Mr. Spoon explained that all practice acts prohibit practice without a license. In the past, unlicensed practice cases were sent to investigations that really did not need an investigation because the violation was admitted. Although most do sign consent agreements, licensees are not required to enter into an agreement and always have the right to appear before the Board. Discussion included but was not limited to the online process being the same as the paper application process, first offense allowed to pay fine, no statutory allowance for a renewal grace period, statutory grace period for physicians with penalties, communication with the Board of ministerial decisions in advance of implementation, timelines for renewals, delegation of decisions not discretion, need for written Board for Nursing guidelines, and non-board specific guidelines for OLC. Mr. Christian explained that the Board of Nursing will be going on the new licensure system. This new system will allow the President to electronically sign consent agreements of this nature as well as a number of other helpful enhancements.

A motion was made by Brenda Martin to reverse the ministerial decision based on statute until such time as the Office of Licensure and Compliance (OLC) can bring forward policies and procedures. Carrie Houser James seconded the motion. Motion failed with one abstention and a nay vote.

MOTION

A motion was made by Carrie Houser James to add this issue to the May agenda with additional information to include a legal opinion. Rose Kearney-Nunnery seconded the motion. The motion carried with one abstention by Brenda Martin.

MOTION

Board President Lewis and Mr. Christian had a discussion about the importance of a nurse's signature on nursing licenses. Currently, per OLC policy, Mr. Christian's signature is on all license pocket cards for all boards. His signature notes not appear on wall certificates for any boards. He reported that different boards have different groups sign their wall certificates. During their discussion, a compromise was met for both Mr. Christian's and the President's signature to appear on the pocket card. Mr. Christian reported that with the upcoming renewal period, the Board of Nursing will be going to a paperless licensure system. Wall certificates will still be issued. He explained all board members signatures could be put on the wall certificates

SIGNATURE OF  
NURSE ON  
LICENSES & WALL  
CERTIFICATE

<p>electronically.</p> <p>A motion was made by Rose Kearney-Nunnery that until the next renewal period nursing pocket cards would include the signatures of the Board of Nursing President and the Assistant Deputy Director of the Office of Licensure and Compliance (OLC) and that wall certificates will include the signatures of all board members MOTION AMENDED to include the signature of the Board Administrator on the wall certificate. Carrie Houser James seconded the motion. The motion carried unanimously.</p> <p>During the motion discussion, Mr. Christian reported that another administrator signs their wall certificates and that they could easily add Ms. Bainer’s signature.</p>	<p style="text-align: right;"><u>MOTION</u></p>
<p>Ms. Bainer explained that nurse licensure applications are approved in Office of Licensure and Compliance with Administrator consultation when needed. Due to formation of the Office of Licensure and Compliance (OLC), Board Policy #I.E.10 regarding approval of licensure applications needs to be revised. Mr. Hayes reported most “yes” answers on applications submitted to OLC have fallen within the policy established by the Board and that he consults with Ms. Bainer on issues dealing with practice. Discussion included but was not limited to the standardization of licensure processes, the Board reiterated its stance on the importance of nurse involvement in licensure and practice issues as originally stated during the restructuring process, confidence in those currently involved in process but concern for future changes, issues in other boards of nursing resulting in legal actions, concern about erosion of administrator’s role in licensure, and communication of changes in licensure processes.</p> <p>Mr. Hayes further explained that new licensure system will have “real” time reporting, workflow, reporting will be electronically, and that the information will be available to appropriate personnel.</p> <p>A motion was made by Rose Kearney-Nunnery to defer action on the revision of Policy #I.E.10 Guidelines for Administrator’s Approval of Licensure Recommendations until the next meeting or until further information and clarification is received. Sylvia Whiting seconded the motion. The motion carried unanimously.</p>	<p style="text-align: right;"><u>GUIDELINES FOR APPROVAL OF LICENSURE RECOMMENDATIONS</u></p> <p style="text-align: right;"><u>S</u></p> <p style="text-align: right;"><u>MOTION</u></p>
<p>Ms. Bainer reported that the Compact rule changes must be in place by August 8, 2009. The Board directed Ms. Bainer and Mr. Boland to produce an application with these changes. The application has not been completed at this time but will be completed prior to the deadline.</p> <p>A motion was made by Rose Kearney-Nunnery to defer action on application changes to comply with Compact rule changes until the May meeting. Carrie Houser James seconded the motion. The motion carried unanimously.</p>	<p style="text-align: right;"><u>POLICY ON COMPACT RULE 3.5</u></p> <p style="text-align: right;"><u>MOTION</u></p>
<p>Public and private consent agreements were provided the Board with for their review and consideration. These consent agreements were signed by respondents in lieu of disciplinary hearings. The Board may accept, amend, or reject the agreements. Respondents may sign the consent agreement</p>	<p style="text-align: right;"><u>CONSENT AGREEMENTS</u></p>

amended by the Board but still have the right to request a panel hearing in lieu of signing the amended agreement.

MOTION

A motion was made by Rose Kearney-Nunnery to accept the Public Consent Agreements for Case #2008-567, Case #2008-9, Case #2008-521, Case #2008-575, Case #2008-532, Case #2007-363, Case #2008-559, Case #2007-314, Case #2008-511, Case #2008-431, Case #2008-531, Case #2006-159 (Voluntary Surrender), and Cases #2006-189/2007-332 as presented. Sylvia Whiting seconded the motion. The motion carried unanimously.

MOTION

A motion was made by Rose Kearney-Nunnery to accept Public Consent Agreements two licensure applicants as presented. Sylvia Whiting seconded the motion. The motion carried unanimously.

MOTION

A motion was made by Rose Kearney-Nunnery to accept a private consent agreement in a case of unlicensed practice. Sylvia Whiting seconded the motion. The motion carried unanimously.

The Board discussed the public consent agreement in Cases #2007-394 and #2008-136. Action on this agreement was deferred pending correction.

MOTION

A motion was made by Rose Kearney-Nunnery to reject the public consent agreement in Case #2008-142. Sylvia Whiting seconded the motion. The motion carried unanimously.

MOTION

A motion was made by Brenda Martin to reject the consent agreement in Case #2008-541. The motion did not receive a second. Motion failed

MOTION

A motion was made by Rose Kearney-Nunnery to reject the public consent agreement in Case #2008-541 citing public safety. Brenda Martin seconded the motion. The motion carried unanimously.

MOTION

A motion was made by Rose Kearney-Nunnery to reject the public consent agreement in Cases #2006-186/ #2007-332. Sylvia Whiting seconded the motion. The motion carried unanimously.

MOTION

A motion was made by Rose Kearney-Nunnery to reject the private consent agreement in Cases #2005-233/ #2005-395. Sylvia Whiting seconded the motion. The motion carried unanimously.

The site survey team appointed by the Advisory Committee on Nursing (ACON) completed its survey for the Newberry College proposed baccalaureate degree nursing program on November 18, 2008. A copy of the survey report with the findings and recommendations was provided to the Board. At its February 17, 2009 meeting, ACON recommended that the Board grant initial program approval pending receipt of signed copies of the currently pending clinical agreements. The College provided response materials.

NEWBERRY COLLEGE

Betsy McDowell, RN, PhD, CCRN, CNE, Chair of the Department of Nursing and Chuck Wendt, Vice President of Institutional Advancement of Newberry

<p>College appeared before the Board to respond to questions. Dr. McDowell reported on the agreements that have been signed to date and when they will be utilizing the clinical facilities later in the program.</p> <p>A motion was made by Rose Kearney-Nunnery to grant initial approval of the Newberry College baccalaureate degree nursing program. Carrie James seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>The Board was provided with the Resolutions Committee Report and Recommendations for cases reviewed since the January 2009 Board meeting utilizing the Board approved Disciplinary Sanctions Guidelines.</p> <p>A motion was made by Rose Kearney-Nunnery to approve the Resolutions Committee Report and Recommendations for Consent Agreements. Carrie Houser James seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Sylvia. Whiting to approve the Resolutions Committee Recommendations for to Dismissals. Rose Kearney-Nunnery seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Rose Kearney-Nunnery to approve the Resolutions Committee Recommendations for Dismissals with Letters of Concern. Brenda Martin seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Rose Kearney-Nunnery to approve the Resolutions Committee Recommendations for Formal Complaints. Brenda Martin seconded the motion. The motion carried unanimously.</p>	<p><u>RESOLUTION</u> <u>COMMITTEE</u> <u>REPORT &amp;</u> <u>REQUEST</u> <u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p>
<p>The Board reviewed suggested changes to the Policy On Civil Penalties For Unauthorized Nursing Practice (Unlicensed Practice). Changes to the policy included separating advanced practice registered nurse licensure penalties from registered nurse and licensed practical nurse section, increasing the civil penalties for first and second unlicensed practice offenses for APRN and to change reprimand for failure to renew prescriptive authority from a private to a public reprimand.</p> <p>A motion was made by Brenda Martin to approve the proposed changes to the Policy On Civil Penalties For Unauthorized Nursing Practice (Unlicensed Practice) and to add a sentence that either the Board President or Board Administrator sign the unlicensed practice consent agreements. Rose Kearney-Nunnery seconded the motion. The motion carried unanimously.</p>	<p><u>POLICY ON CIVIL</u> <u>PENALTIES FOR</u> <u>UNAUTHORIZED</u> <u>NURSING PRACTICE</u> <u>(UNLICENSED</u> <u>PRACTICE)</u></p> <p><u>MOTION</u></p>
<p>The Board reviewed Hearing Panels' Reports, transcripts and exhibits to determine appropriate sanctions.</p> <p>Memoranda of Agreement (MOA) regarding violation of the Nurse Practice Act, violation of previous Board orders or unlicensed practice were presented to the Board for review and determination of appropriate sanctions.</p> <p>Respondents appeared before the Board to respond to questions regarding</p>	<p><u>PANEL REPORTS/</u> <u>MEMORANDA OF</u> <u>AGREEMENT</u></p>

their Panel Report or MOA. Respondents were aware of their right to legal counsel. Recovering Professional Program (RPP) representatives from were present to respond to questions in cases regarding their clients.

In Case #2005-347/2008-307, Respondent signed a Memorandum of Agreement, waived right to a panel hearing and right to an attorney. Respondent appeared before the Board without legal counsel.

MOTION

A motion was made by Sylvia Whiting in Case #2005-347/2008-307 to require Respondent to continue in the Recovering Professional Program (RPP) other counseling, to place Respondent's license on probation for one year, narcotics restriction, practice in a Board approved work setting under the on-site/on-shift registered nurse supervision, no home based care, agency or telenursing or telehealth, and quarterly employer reports. Rose Kearney-Nunnery made a friendly amendment to accept the RPP recommendation that upon graduation from Drug Court, that Respondent's license be reinstated. Sylvia Whiting accepted the friendly amendment. Rose Kearney-Nunnery seconded the motion. The motion carried unanimously.

In Case #2008-275, Respondent signed a Memorandum of Agreement, waived right to a panel hearing and right to an attorney. Respondent appeared before the Board without legal counsel.

MOTION

A motion was made by Rose Kearney-Nunnery to place Respondent's license on one year probation, practice in a Board approved work setting under the on-site/on-shift registered nurse supervision, no home based care, agency or telenursing or telehealth, quarterly employer reports and to require completion of a Board-approved mediation error course with six months. Brenda Martin seconded the motion. The motion carried unanimously.

In Case #2007-351, Respondent signed a Memorandum of Agreement, waived right to a panel hearing and right to an attorney. Respondent did not appear before the Board and was not represented by legal counsel. Respondent submitted a written request that the hearing be held in Respondent's absence.

MOTION

A motion was made by Rose Kearney-Nunnery to go into executive session for the purpose of receiving legal counsel in Case #2007-351. Carrie Houser James seconded the motion. The motion carried unanimously.

MOTION

A motion was made by Rose Kearney-Nunnery to return to the hearing in Case #2007-351. Carrie Houser James seconded the motion. The motion carried unanimously. No actions were taken during executive session.

MOTION

A motion was made by Carrie Houser James for Respondent in Case #2007-351 to notify the Board of the resolution of legal actions, Respondent's license be placed on one year probation, practice in a Board approved work setting under the on-site/on-shift registered nurse supervision, no home based care, agency or telenursing or telehealth, and quarterly employer reports. Rose Kearney-Nunnery seconded the motion. The motion carried unanimously.

<p>Respondent signed a Memorandum of Agreement in regards to unlicensed practice from April 30, 2006 until February 2, 2009. Respondent waived right to a panel hearing and right to an attorney. Respondent appeared before the Board without legal counsel.</p> <p>A motion was made by Rose Kearney-Nunnery to go into executive session for the purpose of receiving legal counsel. Carrie Houser James seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Rose Kearney-Nunnery to return to the hearing. Sylvia Whiting seconded the motion. The motion carried unanimously. No actions were taken during executive session.</p> <p>A motion was made by Brenda Martin in a case of more than a year of unlicensed nursing practice to issue a private reprimand and a civil penalty of \$2,500 payable within one year of the date order. Rose Kearney-Nunnery seconded the motion. The motion carried unanimously.</p> <p>Action on the panel report for Cases #2007-339/2008-4 and a memorandum of agreement for a licensure case were continued.</p>	<p style="text-align: right;"><u>MOTION</u></p> <p style="text-align: right;"><u>MOTION</u></p> <p style="text-align: right;"><u>MOTION</u></p>
<p>A motion was made by Sylvia Whiting to adjourn the meeting at 11:30 a.m. on March 27, 2009. Rose Kearney-Nunnery seconded the motion. The motion carried unanimously.</p> <p>Respectfully Submitted, Dorothy M. Buchanan, APM Assistant to the Administrator</p>	<p style="text-align: right;"><u>ADJOURNMENT</u></p>