



South Carolina Department of Labor, Licensing and Regulation

**South Carolina Board of Nursing**

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**July 30-31, 2015 Board of Nursing Meeting Minutes**

<p>Board President, Carol Moody, called the Board of Nursing meeting to order at 8:40 a.m. on Thursday, July 30, 2015 and at 8:37 a.m. on Friday, July 30, 2015. Public 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>&amp; FOIA</u> <u>COMPLIANCE</u></p>
<p>Carol Moody, RN, MAS, NEA-BC, President.....Present Congressional District 4</p> <p>Samuel McNutt, RN, CRNA, MHSA, Vice President.....Present Congressional District 5</p> <p>Amanda Baker, RN, MSN, CRNA, MNA, Secretary.....Present Congressional District 2</p> <p>Jaqueline L. Baer, RN, MSN, FNP-BC.....Present Congressional District 1</p> <p>W. Kay Swisher, RNC, MSN.....Present Congressional District 3</p> <p>Sonya K. Ehrhardt, DNP, RN, NEA-BC, CPHQ.....Present Congressional District 6</p> <p>Karen R. Hazzard, MSN, RN, NEA-BC.....Present Congressional District 7</p> <p>Jan R. Burdette, LPN II.....Present At-Large</p> <p>James E. Mallory, EdD.....Present Public Member</p> <p>Neil B. Lipsitz.....Present Public Member</p> <p>One Licensed Practical Nurse Vacancy</p>	<p><u>BOARD MEMBERS</u> <u>PRESENT &amp; VOTING</u></p>
<p>Karen Blizzard, Program Assistant Kathryn Nedovic, Licensure/ Compliance Supervisor Brittany Johnson, Program Assistant, Licensure/ Compliance Donnell Jennings, Advice Counsel, Board of Nursing Bryan Letteer, Office of Disciplinary Counsel</p>	<p><u>LLR STAFF</u> <u>PRESENT FOR</u> <u>CERTAIN ITEMS</u></p>

<p>Princess Hodges, Office of Disciplinary Counsel Megan Flannery, Office of Disciplinary Counsel</p>	
<p>There were no absences for the July 30-31, 2015 Board of Nursing Meeting.</p>	<p><u>EXCUSED ABSENCES</u></p>
<p>The July 30-31, 2015 Board of Nursing Meeting Regular Agenda was presented for the Board's review and approval.</p> <p>A motion was made by Karen Hazzard to approve the July 30-31, 2015 Board of Nursing Regular Agenda. Amanda Baker seconded the motion. The motion carried unanimously.</p>	<p><u>APPROVAL OF AGENDA</u></p> <p><u>MOTION</u></p>
<p>The Consent Agenda for the July 30-31, 2015 Board of Nursing meeting was presented for the Board's review and approval/ acceptance as information.</p> <ul style="list-style-type: none"> <li>a) For Acceptance: February 17, 2015 Advisory Committee on Nursing Meeting Minutes</li> <li>b) For Information: APRN Consensus Model Implementation Status</li> <li>c) For Information: OIE and ODC Investigative Process</li> <li>d) For Approval: Voluntary Closing of an Approved Practical Nursing Education Program – Central Carolina Technical College</li> <li>e) For Information: Partnership Between the Nursing Department at Aiken Technical College and Dwight David Eisenhower Army Medical Center, Fort Gordon, Georgia</li> <li>f) For Information: Update on ACEN Recognition by the U.S. DOE</li> <li>g) For Information: Budget (<i>on table</i>)</li> </ul> <p>A motion was made by Samuel McNutt to approve the Consent Agenda as presented. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>APPROVAL OF CONSENT AGENDA</u></p> <p><u>MOTION</u></p>
<p>The May 14-15, 2015 Board of Nursing meeting minutes were presented for the Board's review and approval.</p> <p>A motion was made by Kay Swisher to approve the May 14-15, 2015 Board of Nursing meeting minutes as presented. Karen Hazzard seconded the motion. The motion carried unanimously.</p>	<p><u>APPROVAL OF MINUTES</u></p> <p><u>MOTION</u></p>
<p><u>Bob Jones University – BSN Program</u></p> <p>At its July 26-27, 2007 meeting the Board of Nursing voted to continue full approval for the Bob Jones University baccalaureate degree nursing program for eight years (based on the April 10, 2007 survey report).</p> <p>A site survey was conducted on April 7, 2015, regarding continuing full approval status of their baccalaureate degree nursing program. The Board was provided with a copy of the April 7, 2015 Site Survey Report as well as the University's response for their review.</p> <p>Suelane Hannah, Division Chair, Jane Haertlein, Faculty Member and Renae Wentworth, Dean, College of Arts and Science Program Manager, Bob Jones University, appeared before the Board to discuss/ answer questions.</p>	<p><u>BOB JONES UNIVERSITY— REQUEST FOR CONTINUED REGISTERED NURSING EDUCATION PROGRAM FULL APPROVAL</u></p> <p><u>1) REGISTERED NURSING (RN) PROGRAM SITE SURVEY REPORT</u></p> <p><u>2) BOB JONES UNIVERSITY REPORT RESPONSE MATERIALS SUBMITTED/ FOR</u></p>

<p>A motion was made by Samuel McNutt to grant continued full approval for five years. James Mallory seconded the motion. The motion carried unanimously.</p>	<p><u>BOARD REVIEW</u></p> <p><u>MOTION</u></p>
<p><u>Florence Darlington Technical College (FDTC) - ADN Program</u></p> <p>At the May 14-15, 2015 Board of Nursing meeting the Board voted that based on the performance of FDTC on the NCLEX being deficient for the last three to four years, the Board felt that action must be taken. At this time, no students shall be enrolled for the Spring of 2016 semester. It is required to return to the Board in September with NCLEX scores and the progress of the plans presented today. Additionally, the Board would like FDTC to include admission criteria and how it is weighted, a chart showing the students with their entrance GPA, their graduating GPA, and their pass/ fail on the NLCEX, as well as any ATI correlation.</p> <p>The Board was provided and reviewed updated NCLEX-RN scores for the second quarter 2015.</p> <p>Sharon A. Stafford, Department Chair, Maureen Dever-Bumba, Associate Vice President for Health Sciences, Suresh Tiwari, Vice President for Academic and Student Affairs and Ben Dillard, President, Florence Darlington Technical College appeared before the Board to request a reconsideration of the Order.</p> <p>Discussion included but was not limited to the improved NCLEX-RN scores provided for second quarter 2015, the College's commitment to improve outcomes through faculty/ leadership stability and faculty/student development, ATI/ TEAS testing predictors, Capstone program, increased admission/ GPA requirements, program and curriculum system content review/ realignment.</p> <p>A motion was made by Samuel McNutt to modify the previous order that would allow Florence Darlington Technical College to enroll students in the 2016 semester. Amanda Baker seconded the motion. The motion carried unanimously.</p>	<p><u>FLORENCE</u> <u>DARLINGTON</u> <u>TECHNICAL</u> <u>COLLEGE</u> <u>PROGRAM UPDATE</u></p> <p><u>MOTION</u></p>
<p>The National Council of State Boards of Nursing (NCSBN) Annual Meeting will be held in Chicago, Illinois on August 19-21, 2015.</p> <p>A motion was made by Samuel McNutt to give authority to Carol Moody and Nancy Murphy the ability to vote in their best judgment at the meeting. Karen Hazzard seconded the motion. The motion carried unanimously.</p>	<p><u>PRESIDENT'S</u> <u>REPORT-NCSBN</u> <u>ANNUAL MEETING/</u> <u>DELEGATE</u> <u>ASSEMBLY</u></p> <p><u>MOTION</u></p>
<p>The Board reviewed the Board of Nursing Committee assignments as provided in their materials.</p> <p>A motion was made by Samuel McNutt to accept the current roster as presented. Amanda Baker seconded the motion. The motion carried unanimously.</p> <p>A subsequent motion was made by Samuel McNutt to defer Committee</p>	<p><u>PRESIDENT'S</u> <u>REPORT-BOARD</u> <u>OF NURSING</u> <u>COMMITTEE</u> <u>ASSIGNMENTS</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p>

<p>assignments until the September 2015 meeting. Kay Swisher seconded the motion. The motion carried unanimously.</p>	
<p>A motion was made by Samuel McNutt to go into executive session for the purpose of receiving legal counsel. The Board asked that Kathryn Nedovic, OGC and OIE stay during executive session. Karen Hazzard seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Amanda Baker to leave executive session. Kay Swisher seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p> <p>A motion was made by Samuel McNutt to reinstitute the one-year program for RPP monitoring. Karen Hazzard seconded the motion. The motion carried unanimously.</p>	<p><u>RECOVERING PROFESSIONALS PROGRAM (EXECUTIVE SESSION)</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p>
<p>A motion was made by Samuel McNutt to go into executive session for the purpose of receiving legal counsel. Karen Hazzard seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Samuel McNutt to leave executive session. Karen Hazzard seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p>	<p><u>NEW BOARD MEMBER ORIENTATION (EXECUTIVE SESSION)</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p>
<p>Carol Moody shared that a joint committee has been created by the Board of Nursing (BON) and Board of Medical Examiners (BME) to facilitate the administrative process for the approval of the exemption requests involving advanced practice registered nurses. Carol Moody, Samuel McNutt and Amanda Baker have agreed to serve on this committee on behalf of the Board.</p> <p>A motion was made by Kay Swisher to accept the information as presented. Karen Hazzard seconded the motion. The motion carried unanimously.</p> <p>Samuel McNutt reported that the Task Force is recommending domestic violence</p>	<p><u>PRESIDENTS REPORT-JOINT COMMITTEE MEETING OF THE BON AND BME REGARDING THE ADMINISTRATIVE PROCESS FOR THE APPROVAL OF THE EXEMPTIONS REQUESTS INVOLVING ADVANCED PRACTICE REGISTERED NURSES</u></p> <p><u>MOTION</u></p> <p><u>PRESIDENTS</u></p>

<p>education for nurses and exploring instructional methods. This information will be reported to the Governor and the education recommendations will be before the Board next year.</p> <p>A motion was made by Karen Hazzard to accept Samuel McNutt's report. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>REPORT- GOVERNOR HALEY'S DOMESTIC VIOLENCE TASK FORCE – REPORT SAMUEL MCNUTT</u></p> <p><u>MOTION</u></p>
<p><u>Legislative Committee Report</u></p> <p><u>2015-2016 Bill 413 Pharmacists</u></p> <p>Carol Moody shared that the 2015-2016 Bill 413 Pharmacists passed the State Senate and created a Joint Pharmacist Administered Vaccines Committee consisting of seven members. The committee is comprised of two physicians selected by the Board of Medical Examiners (BME), two pharmacists selected by the Board of Pharmacy (BOP) and two advanced practice nurse practitioners selected by the Board of Nursing. One member of the DHEC designated by the director of the department also shall serve on the committee. The Board of Nursing has been requested to appoint two advanced practice nurse practitioners and an alternate to this Committee.</p> <p>A motion was made by Samuel McNutt to appoint Kahlil Demonbreun, Stephanie Burgess and an alternate Sheryl Mitchell to serve on the Joint Administered Vaccines Committee. Kay Swisher seconded the motion. The motion carried unanimously.</p> <p><u>Minutes of the Special Delegate Assembly</u></p> <p>The minutes from the Special Delegate Assembly meeting held May 4, 2015 were approved by the NCBSN and were included in the Board materials as information.</p>	<p><u>BOARD OF NURSING</u></p> <p><u>LEGISLATIVE COMMITTEE REPORT-</u></p> <p><u>1) 2015-2016 BILL 413 PHARMACISTS</u></p> <p><u>2) MINUTES OF THE SPECIAL DELEGATE ASSEMBLY MAY 4, 2015</u></p> <p><u>MOTION</u></p>
<p>This agenda item was deferred until the September 2015 meeting.</p>	<p><u>ADVISORY COMMITTEE ON NURSING EXECUTIVE SESSION</u></p>
<p>The 2016 Board of Nursing meeting calendar was provided in the Board's materials for approval.</p> <p>A motion was made by Samuel McNutt to accept the calendar as presented. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>2016 BOARD OF NURSING MEETING CALENDAR</u></p> <p><u>MOTION</u></p>
	<p><u>LICENSURE AND COMPLIANCE</u></p> <p>A) <u>CJIS SECURITY TRAINING</u></p> <p>B) <u>DISCIPLINARY SANCTIONS GUIDELINES MATRIX</u></p>

<p><u>Temporary Suspension Order Follow-up</u> The Board's direction was requested regarding the addressing of previous public discipline when the matter is ultimately resolved with a Private Order.</p> <p>A motion was made by Kay Swisher to remove the temporary TSO from the website and NURSYS. Karen Hazzard seconded the motion. The motion carried unanimously.</p> <p><u>Disciplinary Sanctions Guidelines Matrix Proposed Revisions</u> Proposed revisions for the Disciplinary Sanctions Guidelines Matrix and sanctions for non-compliance with an existing board order were presented to the Board for approval.</p> <p>A motion was made by Samuel McNutt to adopt the revisions as presented and the effective date for implementation will be September 1, 2015. Amanda Baker seconded the motion. The motion carried unanimously.</p> <p><u>Criminal Justice Information Security Training (CJIS)</u> The Board and Board staff viewed the CJIS security training video presentation.</p> <p>A motion was made by Karen Hazzard that as a Board we support the CJIS security training and will defer fingerprinting discussion to the September 2015 Board meeting or until further information. Neil Lipsitz seconded the motion. The motion carried unanimously.</p>	<p><u>PROPOSED REVISIONS</u></p> <p><u>C)TEMPORARY SUSPENSION FOLLOW-UP</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p>
<p>Mark Sanders, Chief Investigator for the Office of Investigations and Enforcement (OIE) presented the Investigative Review Committee (IRC) Report (<i>Closed Session</i>) with recommendations from its meetings held since the May 2015, Board meeting.</p> <p>The Disciplinary Sanctions Guidelines Matrix is used by the IRC in making these recommendations.</p> <p>A motion was made by Amanda Baker to approve 18 cases for Dismissal as recommended by the Investigative Review Committee (IRC). Karen Hazzard seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Amanda Baker to approve the 1 Cease and Desist case as recommended by the Investigative Review Committee (IRC). Kay Swisher seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Kay Swisher to approve 43 cases for Formal Complaints as recommended by the Investigative Review Committee (IRC). Amanda Baker seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Karen Hazzard to approve 10 Letters of Caution as recommended by the Investigative Review Committee (IRC). Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>OFFICE OF INVESTIGATIONS AND ENFORCEMENT (OIE) MARK SANDERS (CLOSED SESSION)</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p>

<p>A motion was made by Samuel McNutt to approve 1 Letter of Relinquishment as recommended by the Investigative Review Committee (IRC). Kay Swisher seconded the motion. The motion carried unanimously.</p> <p>Mr. Sanders reported that there are no new statistics to report at this time because when this report was prepared OIE was still within the 2<sup>nd</sup> quarter of 2015. The Board of Nursing statistics through the 2<sup>nd</sup> quarter of 2015 will be provided at the September 14, 2015 meeting.</p>	<p><u>MOTION</u></p>
<p>Respondents appeared before the Board. The Board reviewed Memoranda of Agreement (MOA) stipulating to violations of the Nurse Practice Act to determine disciplinary actions and reviewed recommendations from panel hearings.</p> <p>In Case # 2012-390, respondent signed a Memorandum of Agreement (MOA) and waived the right to a panel hearing. Respondent appeared and was represented by legal counsel Robyn Madden, Esq.</p> <p>In Case # 2012-390, a motion was made by Samuel McNutt to accept the Memorandum of Agreement (MOA), issue a private reprimand, a civil penalty of \$500 payable within six months, completion within six months Legal Aspects and Ethics courses, with no narcotics restriction. Kay Swisher seconded the motion. The motion carried unanimously.</p> <p>In Case # 2011-203, respondent signed a Memorandum of Agreement (MOA) and waived the right to a panel hearing. Respondent appeared and was represented by legal counsel Robyn Madden, Esq.</p> <p>Carol Moody recused herself from the proceedings. A quorum was still present.</p> <p>In Case # 2011-203, a motion was made by Amanda Baker to dismiss the case. Samuel McNutt seconded the motion. The motion carried unanimously with the recusal of Carol Moody.</p> <p>In Case # 2012-361, respondent signed a Memorandum of Agreement (MOA) and waived the right to a panel hearing. Respondent appeared and was represented by legal counsel Robyn W. Madden, Esq.</p> <p>A motion was made by Samuel McNutt to go into executive session for the purpose of receiving legal counsel. Kay Swisher seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Kay Swisher to leave executive session. Samuel McNutt seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p> <p>In Case # 2012-361, a motion was made by Karen Hazzard to accept the Memorandum of Agreement (MOA) and issue a private reprimand, completion of the following courses: Legal Aspects, Ethics, and Critical Thinking, civil penalty in the amount of \$150 with completion of the courses and payment of civil penalty all within six months of date of order. Amanda Baker seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p>

<p>In Case # 2012-478, a panel hearing was held on April 21, 2015. The panel hearing recommendations were presented to the Board for review and consideration. Respondent did not appear and was not represented by legal counsel.</p>	
<p>In Case # 2012-478, a motion was made by Samuel McNutt to accept the panel hearing's findings of revocation of license. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>In Case # 2012-105, a panel hearing was held on May 12, 2015. The panel hearing recommendations were presented to the Board for review and consideration. Respondent did not appear but was represented by legal counsel Mark D. Ball, Esq.</p>	
<p>In Case # 2012-105, a motion was made by Samuel McNutt to accept the panel hearing recommendations and issue a letter of caution. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>In Case # 2012-384, a panel hearing was held on April 7, 2015. The panel hearing recommendations were presented to the Board for review and consideration. Respondent did not appear and was not represented by legal counsel.</p> <p>Jan Burdette recused herself from the proceedings. A quorum was still present.</p>	
<p>In Case # 2012-384, a motion was made by Amanda Baker to accept the panel hearing recommendations to dismiss the case. Kay Swisher seconded the motion. The motion carried unanimously with the recusal of Jan Burdette.</p>	<p><u>MOTION</u></p>
<p>In Case # 2012-120, a panel hearing was held on May 12, 2015. The panel hearing recommendations were presented to the Board for review and consideration. Respondent did not appear but was represented by legal counsel William B. Darwin, Jr., Esq.</p>	
<p>In Case # 2012-120, a motion was made by Samuel McNutt to accept the panel hearing recommendations to issue a private reprimand. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>In Case # 2011-182 and 2013-371, respondent signed a Memorandum of Agreement (MOA) and waived the right to a panel hearing. Respondent did not appear and was not represented by legal counsel.</p>	
<p>A motion was made by Samuel McNutt to proceed in respondent's absence. Amanda Baker seconded the motion. The motion was carried unanimously.</p>	<p><u>MOTION</u></p>
<p>A motion was made by Samuel McNutt to go into executive session for the purpose of receiving legal counsel. Neil Lipsitz seconded the motion. The motion was carried unanimously.</p>	<p><u>MOTION</u></p>
<p>A motion was made by Samuel McNutt to leave executive session. Kay Swisher seconded the motion. The motion carried unanimously. No official actions were</p>	<p><u>MOTION</u></p>

taken during executive session.

In Case # 2011-182 and 2013-371, a motion was made by Amanda Baker to accept the Memorandum of Agreement (MOA) with the following sanctions: a public reprimand, a \$1500 civil penalty payable within one year, Legal Aspects, Ethics, and Critical Thinking courses to be completed within six months, narcotics restrictions and RPP evaluation. Samuel McNutt seconded the motion. The motion carried unanimously.

MOTION

In Case # 2013-509, respondent signed a Memorandum of Agreement (MOA) and waived the right to a panel hearing. Respondent was aware of his/ her right to legal counsel and waived that right. Respondent appeared and was not represented by legal counsel.

A motion was made by Kay Swisher to go into executive session for the purpose of receiving legal counsel. Karen Hazzard seconded the motion. The motion was carried unanimously.

MOTION

A motion was made by James Mallory to leave executive session. Neil Lipsitz seconded the motion. The motion carried unanimously. No official actions were taken during executive session.

MOTION

In Case # 2013-509, a motion was made by Amanda Baker to accept the Memorandum of Agreement (MOA) with the following sanctions: a public reprimand, continued RPP participation, lift the suspension, Legal Aspects and Ethics courses to be completed within six months. Karen Hazzard seconded the motion. The motion carried unanimously.

MOTION

In Case 2012-328, a panel hearing was held on April 21, 2015. The panel hearing recommendations were presented to the Board for review and consideration. Respondent did not appear and was not represented by legal counsel.

In Case 2012-328, a motion was made by Samuel McNutt to accept the panel hearing recommendation of revocation of license. Amanda Baker seconded the motion. The motion carried unanimously.

MOTION

In Case 2012-100 and 2013-390, a panel hearing was held on April 7, 2015. The panel hearing recommendations were presented to the Board for review and consideration. Respondent did not appear and was not represented by legal counsel.

In Case 2012-100 and 2013-390, a motion was made by Samuel McNutt to accept the panel hearing recommendations: license shall be suspended until RPP completes evaluation and makes a recommendation. Respondent must have a psychological evaluation approved by Board of Nursing. Respondent must comply with all treatment plans and follow up. Respondent must appear before Board of Nursing to request reinstatement. Suspension is indefinite. Amanda Baker seconded the motion. The motion carried unanimously.

MOTION

In Case 2012-133, a panel hearing was held on April 21, 2015. The panel hearing recommendations were presented to the Board for review and consideration. Respondent was aware of his/ her right to legal counsel and

<p>waived that right. Respondent appeared and was not represented by legal counsel.</p>	
<p>A motion was made by Samuel McNutt to go into executive session for the purpose of receiving legal counsel. Kay Swisher seconded the motion. The motion was carried unanimously.</p>	<p><u>MOTION</u></p>
<p>A motion was made by Kay Swisher to leave executive session. Neil Lipsitz seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p>	<p><u>MOTION</u></p>
<p>In Case 2012-133, a motion was made by Amanda Baker to accept the panel hearing recommendations with the following modifications: issue a public reprimand in the place of a private, completion of the following courses within six months of effective date of final order: Ethics, refresher or re-entry, Legal Aspects and Critical Thinking (as available), must successfully complete all RPP requirements, maintain current relapse prevention activities, must appear before Board of Nursing prior to applying in for reinstatement/ reactivation of nursing license. License suspension is indefinite. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>In Case # 2012-123, a panel hearing was held on April 21, 2015. The panel hearing recommendations were presented to the Board for review and consideration. Respondent did not appear and was not represented by legal counsel.</p>	<p><u>MOTION</u></p>
<p>In Case # 2012-123, a motion was made by Samuel McNutt to accept the panel hearing recommendations of revocation of license. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>In Case # 2012-407, a panel hearing was held on May 22, 2015. The panel hearing recommendations were presented to the Board for review and consideration. Respondent did not appear and was not represented by legal counsel.</p>	
<p>In Case # 2012-407, a motion was made by Samuel McNutt to accept the panel hearing recommendations: public reprimand, probation 1 year, access to narcotics at the discretion of the director of nursing, narcotics restriction ordered by Board, RN supervision-on site and shift at all times. Supervision defined in § 40-33-20 (57) as the process of critically observing, directing and evaluating another's performance. No home based care/ no staffing agency/ no telenursing or telehealth. Quarterly reports from nurse employer, completion of Ethics, Legal Aspects courses within six months of effective date of final order and the addition of one-year suspension with immediate stay. Amanda Baker seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>In Case # 2012-234, respondent signed a Memorandum of Agreement (MOA) and waived the right to a panel hearing. Respondent was aware of his/ her right to legal counsel and waived that right. Respondent appeared and was not represented by legal counsel.</p>	
<p>A motion was made by Samuel McNutt to go into executive session for the purpose of receiving legal counsel. Kay Swisher seconded the motion. The</p>	<p><u>MOTION</u></p>

<p>motion was carried unanimously.</p>	
<p>A motion was made by Kay Swisher to leave executive session. Karen Hazzard seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p>	<u>MOTION</u>
<p>In Case # 2012-234, a motion was made by Samuel McNutt to accept the Memorandum of Agreement (MOA) and issue a letter of caution. Karen Hazzard seconded the motion. The motion carried unanimously.</p>	<u>MOTION</u>
<p>In Case # 2012-426, a panel hearing was held on April 7, 2015. The panel hearing recommendations were presented to the Board for review and consideration. Respondent was aware of his/ her right to legal counsel and waived that right. Respondent appeared and was not represented by legal counsel.</p>	
<p>In Case # 2012-426, a motion was made by Samuel McNutt to accept the panel hearing recommendations of a public reprimand. Karen Hazzard seconded the motion. The motion carried unanimously.</p> <p>Subsequent discussion included but was not limited to satisfying a public reprimand with no terms or conditions.</p>	<u>MOTION</u>
<p>A motion was made by Samuel McNutt to go into executive session for the purpose of receiving legal counsel. Kay Swisher seconded the motion. The motion was carried unanimously.</p>	<u>MOTION</u>
<p>A motion was made by Samuel McNutt to leave executive session. Karen Hazzard seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p>	<u>MOTION</u>
<p>In Case # 2012-426, a motion was made by Amanda Baker to amend the previous motion to accept the panel hearing's recommendation issue a public reprimand with the addition of an Ethics course to be completed within six months. Jaqueline Baer seconded the motion. The motion carried with three opposed.</p>	<u>MOTION</u>
<p>In Case # 2012-311, a panel hearing was held on April 7, 2015. The panel hearing recommendations were presented to the Board for review and consideration. Respondent was aware of his/ her right to legal counsel and waived that right. Respondent appeared and was not represented by legal counsel.</p>	
<p>A motion was made by Samuel McNutt to go into executive session for the purpose of receiving legal counsel. Kay Swisher seconded the motion. The motion was carried unanimously.</p>	<u>MOTION</u>
<p>A motion was made by Kay Swisher to leave executive session. Karen Hazzard seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p>	<u>MOTION</u>
<p>In Case # 2012-311, a motion was made by Samuel McNutt to accept the panel</p>	<u>MOTION</u>

<p>hearing recommendations to issue a permanent revocation. Kay Swisher seconded the motion. The motion carried unanimously.</p> <p>In Case # 2012-76, a panel hearing was held on April 21, 2015. The panel hearing recommendations were presented to the Board for review and consideration. Respondent was aware of his/ her right to legal counsel and waived that right. Respondent appeared and was not represented by legal counsel.</p> <p>In Case # 2012-76, a motion was made by Samuel McNutt to accept the panel hearing recommendations and to issue a private reprimand and completion of a Critical Thinking course as available within six months of effective date of order. Amanda Baker seconded the motion. The motion carried unanimously.</p> <p>In Case # 2009-289, respondent signed a Memorandum of Agreement (MOA) and waived the right to a panel hearing. Respondent did not appear, but was represented by legal counsel T. Micah Leddy, Esq.</p> <p>In Case # 2009-289, a motion was made by Samuel McNutt to deny the request for reconsideration of the Memorandum of Agreement (MOA) at this point. Kay Swisher seconded the motion. The motion carried unanimously.</p> <p>In Case # 2010-381, respondent signed a Memorandum of Agreement (MOA) and waived the right to a panel hearing. Respondent appeared and was represented by legal counsel T. Micah Leddy, Esq.</p> <p>A motion was made by Samuel McNutt to go into executive session for the purpose of receiving legal counsel. Karen Hazzard seconded the motion. The motion was carried unanimously.</p> <p>A motion was made by Samuel McNutt to leave executive session. Kay Swisher seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p> <p>In Case # 2010-381, a motion was made by Amanda Baker to reinstate the license, require a one year monitoring program with RPP, require a completion of a refresher course and accept the Memorandum of Agreement (MOA) as written with the sanctions. Karen Hazzard seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p>
<p>A motion was made by Samuel McNutt to adjourn the meeting at 5:36 p.m. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION TO ADJOURN</u></p>
<p><b>Friday July 31, 2015</b></p> <p>Respondents appeared before the Board to request modification to their consent agreements or Board orders. The Board also reviewed recommendations from panel hearings, a motion to reconsider, “yes” response(s) for endorsement and examination application matters and matters for disciplined reinstatement,.</p> <p>A motion was made by Amanda Baker to carry over the RN by disciplined reinstatement application matter to the September 2015 Board meeting. Samuel McNutt seconded the motion. The motion carried unanimously.</p>	<p><u>HEARINGS</u> <u>DISCIPLINE/</u> <u>APPLICATION</u> <u>APPEARANCES</u> <u>(CONFIDENTIAL)</u></p> <p><u>MOTION</u></p>

<p>In Case # 2012-411, respondent requested to modify and existing final order/ consent agreement. Respondent appeared and was represented by legal counsel Jon Ozmint, Esq.</p>	
<p>A motion was made by Kay Swisher to go into executive session for the purpose of receiving legal counsel. Karen Hazzard seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>A motion was made by Kay Swisher to leave executive session. Neil Lipsitz seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p>	<p><u>MOTION</u></p>
<p>In Case # 2012-411, a motion was made by Amanda Baker to grant the request for release from RPP. Karen Hazzard seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>In Case # 2011-430, a panel hearing was held on December 16, 2014. The panel hearing recommendations were presented to the Board for review and consideration. Respondent did not appear and was not represented by legal counsel.</p>	
<p>In Case # 2011-430, a motion was made by Samuel McNutt to accept the panel hearing recommendations: issue a public reprimand and completion of Documentation, Critical Thinking and Legal Aspects courses. Courses must be completed within six months of effective date of Order or date of delivery of Final order to respondent. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>In Case # 2011-431, a panel hearing was held on December 16, 2014. The panel hearing recommendations were presented to the Board for review and consideration. Respondent did not appear and was not represented by legal counsel.</p>	
<p>In Case # 2011-431, a motion was made by Karen Hazzard to accept the panel hearing recommendations and issue a public reprimand, completion of Documentation, Legal Aspects and Critical Thinking courses. The courses must be completed prior to applying for reactivation. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>In Case # 2007-96, respondent requested a motion to reconsider an existing final order/ consent agreement. Respondent was aware of his/ her right to legal counsel and waived that right. Respondent appeared and was not represented by legal counsel.</p>	
<p>In Case # 2007-96, a motion was made by Karen Hazzard to dismiss the Formal Complaint. Samuel McNutt seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>An applicant for licensure as a registered nurse by examination ppeared before the Board. Respondent appeared and was represented by legal counsel E. Guy Ballenger, Esq.</p>	

<p>A motion was made by Amanda Baker to grant applicant a license by examination. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>An applicant for licensure as a licensed practical nurse by examination appeared before the Board. Respondent appeared and was represented by legal counsel J. Preston Strom, Jr., Esq.</p>	
<p>A motion was made by Samuel McNutt to grant the respondent's license by examination. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>An applicant for licensure as a licensed practical nurse by endorsement appeared before the Board. Respondent was aware of his/ her right to legal counsel and waived that right. Respondent appeared and was not represented by legal counsel.</p>	
<p>A motion was made by Samuel McNutt to go into executive session for the purpose of receiving legal counsel. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>A motion was made by Samuel McNutt to leave executive session. Karen Hazzard seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p>	<p><u>MOTION</u></p>
<p>A motion was made by Jacqueline Baer to grant the licensure by endorsement with one year of monitoring through the RPP program. Amanda Baker seconded the motion. The motion carried unanimously with one opposed.</p>	<p><u>MOTION</u></p>
<p>An applicant for licensure as a licensed practical nurse by reinstatement appeared before the Board. Respondent was aware of his/ her right to legal counsel and waived that right. Respondent appeared and was not represented by legal counsel.</p>	
<p>A motion was made by Samuel McNutt to go into executive session for the purpose of receiving legal counsel. The Board asked that Kathryn Nedovic be present for discussion during executive session. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>A motion was made by Samuel McNutt to leave executive session. Karen Hazzard seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p>	<p><u>MOTION</u></p>
<p>A motion was made by Jaqueline Baer to deny reinstatement of LPN license. Karen Hazzard seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>An applicant for licensure as a registered nurse by disciplined reinstatement appeared before the Board. Respondent was aware of his/ her right to legal counsel and waived that right. Respondent appeared and was not represented by legal counsel.</p>	
<p>A motion was made by Kay Swisher to go into executive session for the purpose of receiving legal counsel. Karen Hazzard seconded the motion. The motion</p>	<p><u>MOTION</u></p>

