



South Carolina  
Department of Labor, Licensing and Regulation



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**Board of Nursing**

Nikki R. Haley  
Governor

Holly G. Pisarik  
Director

**July 25-26, 2013 BOARD OF NURSING MEETING MINUTES**

<p>Board President Samuel McNutt called the Board of Nursing meeting to order at 8:31 a.m. on Thursday, July 25, 2013 and at 8:27 a.m. on Friday, July 26, 2013. 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 COMPLIANCE</u></p>
<p>Samuel H. McNutt, RN, CRNA, MHSA, President .....Present Congressional District 5</p> <p>Carol A. Moody, RN, MAS, NEA-BC, Vice President.....Present Congressional District 4</p> <p>Amanda Baker, RN, MSN, CRNA, MNA, Secretary.....Present Congressional District 2</p> <p>Tara F. Hulsey, PhD, RN, CNE .....Present 7/25/13; Excused 7/26/13 Congressional District 1</p> <p>W. Kay Swisher, RNC, MSN.....Present Congressional District 3</p> <p>Karen R. Hazzard, MSN, RN, NE-BC.....Present Congressional District 7</p> <p>Anne Crook, PhD ..... Excused Public Member</p> <p>James E. Mallory, EdD .....Present Public Member</p> <p>One Congressional District 6 Vacancy</p> <p>Two Licensed Practical Nurse Vacancies</p>	<p><u>BOARD MEMBERS</u> <u>PRESENT &amp;</u> <u>VOTING</u></p>
<p>Nancy Murphy, Board Administrator Kathryn Nedovic, Program Coordinator I Theresa Richardson, Program Coordinator I Shannon Beaudry, Administrative Assistant Darra Coleman, Advice Counsel Lynne Rogers, Office of General Counsel Erin Baldwin, Office of General Counsel Suzanne Hawkins, Office of General Counsel Prentiss Shealey, Office of General Counsel</p>	<p><u>LLR STAFF</u> <u>PRESENT FOR</u> <u>CERTAIN ITEMS</u></p>
<p>Anne Crook was excused from the July 25-26, 2013 meeting, and Tara Hulsey was excused from the July 26, 2013 meeting.</p>	<p><u>EXCUSED ABSENCES</u></p>

<p>The July 25-26, 2013 Board of Nursing Meeting Regular Agenda was presented for the Board's review and approval.</p> <p>A motion was made by Tara Hulseley to approve the Regular Agenda as presented. Karen Hazzard 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 25-26, 2013 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 1, 2013 Advanced Practice Committee Meeting Minutes</li> <li>b) For Information: NCSBN Morning Briefing May 3, 2013</li> <li>c) For Information: NCSBN Morning Briefing May 10, 2013</li> <li>d) For Information: NCSBN Morning Briefing May 14, 2013</li> <li>e) For Information: Prime Policy Group Affordable Care Act: Implementation Update</li> <li>f) For Information: NCSBN Meeting with Mary Wakefield Administrator Health Resources &amp; Services Administration (HRSA)</li> <li>g) For Information: NCSBN Morning Briefing May 21, 2013</li> <li>h) For Information: Federation of State Medical Boards to Explore Use of Interstate Compact for Physician Licensure</li> <li>i) For Information: Council for Healthcare Regulatory Excellence Right-touch Regulation</li> <li>j) For Information: HIPDB &amp; NPDB Merger</li> <li>k) For Information: NCSBN Morning Briefing June 11, 2013</li> <li>l) For Information: Important Note Regarding NLN Accreditation</li> <li>m) For Information: NCSBN Morning Briefing June 19, 2013</li> <li>n) For Information: Budget (on table)</li> </ul> <p>A motion was made by Amanda Baker to approve the Consent Agenda as presented. Tara Hulseley seconded the motion. The motion carried unanimously.</p>	<p><u>APPROVAL OF CONSENT AGENDA</u></p> <p><u>MOTION</u></p>
<p>The May 16-17, 2013 Board Meeting minutes were presented for the Board's review and approval.</p> <p>A motion was made by Karen Hazzard to approve the May 16-17, 2013 meeting minutes as presented. Amanda Baker seconded the motion. The motion carried unanimously.</p>	<p><u>APPROVAL OF MINUTES</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 with recommendations from its meetings held since the May 2013 Board meeting. 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 14 cases for Dismissal as recommended by the Investigative Review Committee (IRC). Kay Swisher seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Tara Hulsey to approve two cases for Dismissal - Cease and Desist as recommended by the Investigative Review Committee (IRC). Kay Swisher seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Carol Moody to approve 69 cases for Formal Complaint as recommended by the Investigative Review Committee (IRC). Amanda Baker seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Kay Swisher to approve five cases for dismissal with a Letter of Caution as recommended by the Investigative Review Committee (IRC). Tara Hulsey seconded the motion. The motion carried unanimously.</p> <p>Mr. Sanders stated that there were no new statistics to report, and that statistics for the 2nd quarter will be provided at the September 2013 meeting.</p>	<p><u>OFFICE OF INVESTIGATIONS AND ENFORCEMENT (OIE)</u></p> <p><u>INVESTIGATIVE REVIEW COMMITTEE (IRC)</u> <u>REPORT</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p>
<p>At its May 15, 2008 meeting, the Board of Nursing voted to continue full approval for the Williamsburg Technical College practical nursing program for 5 years (based on the February 12, 2008 survey report).</p> <p>The Williamsburg Technical College practical nursing program site survey was conducted on March 27, 2013 regarding continuing full approval. The site survey report and response materials from Williamsburg Technical College were presented to the Board for review.</p> <p>Heather Anderson, Department Head, Nursing, and Clifton Elliott, VP of Academic Affairs, Williamsburg Technical College appeared before the Board to discuss the survey and respond to questions.</p> <p>Discussion included but was not limited to Heather Anderson completing her master's degree, changing the job description of the Nursing Department Head to reflect a required master's degree, ensuring consistency in catalogs and handbooks, faculty professional development, replacing outdated library books and aggregating data.</p> <p>A motion was made by Karen Hazzard to grant Williamsburg Technical College continuing approval for a time period of five years. Tara Hulsey seconded the motion. The motion carried unanimously.</p>	<p><u>WILLIAMSBURG TECHNICAL COLLEGE</u></p> <p><u>MOTION</u></p>
<p>At its November 17, 2011 meeting, the Board of Nursing voted to allow the University of South Carolina (USC) Columbia College of Nursing to move forward with the experimental project of using associate degree nurses as clinical teachers in a future DEU (Designated Education Unit) model and to report to the board November 2012.</p>	<p><u>USC COLUMBIA – DEU PROJECT STATUS UPDATE REPORT</u></p>

<p>Dr. Jeannette Andrews, Dean and Dr. Stephanie Burgess, Associate Dean, College of Nursing, USC Columbia appeared before the Board to present USC Columbia's DEU project status update report and to respond to questions.</p> <p>Discussion included but was not limited to USC Columbia ending the DEU project, their grant ending, results from the DEU project and whether the school would reconsider the DEU program if it was more cost effective.</p> <p>A motion was made by Tara Hulseley to accept USC Columbia's report as presented. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>Dr. Jeannette Andrews, Dean and Dr. Stephanie Burgess, Associate Dean, College of Nursing, USC Columbia appeared before the Board to clarify Out of State/International DNP student licensure.</p> <p>Discussion included but was not limited to doctoral students licensed in other states and countries not needing a South Carolina license if they are not completing clinicals in South Carolina, the increase in out-of-state and international students interested in the USC Columbia programs and the online/in person model of USC Columbia's doctoral programs.</p> <p>A motion was made by Tara Hulseley to clarify licensing requirements for online doctoral programs that students licensed in another state or country will not need to be licensed in South Carolina if the clinical/research experiences are being completed in the state/country of licensure where they reside. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>OUT OF STATE/INTERNATIONAL DNP STUDENT LICENSURE CLARIFICATION</u></p> <p><u>MOTION</u></p>
<p>At its May 3, 2013 meeting, the Advanced Practice Committee (APC) reviewed/discussed AO #43 and recommended the Board approve as presented with no changes.</p> <p>A motion was made by Amanda Baker to approve AO #43 with no changes as presented. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>AO #43</u></p> <p><u>MOTION</u></p>
<p>At its May 3, 2013 meeting, the APC reviewed its bylaws and membership chart and recommended changing the month for electing officers from December to November in both documents to reflect the APC meeting dates.</p> <p>A motion was made by Kay Swisher to accept proposed revisions to the APC bylaws as presented. Tara Hulseley seconded the motion. The motion carried unanimously.</p>	<p><u>PROPOSED REVISION ADVANCED PRACTICE COMMITTEE BYLAWS</u></p> <p><u>MOTION</u></p>
<p>At its May 3, 2013 meeting, the APC voted to add Adult-Gero Acute Care NP to the ANCC and AACN certifications and to forward the revised certification list with these additions to the Board for approval.</p> <p>A motion was made by Tara Hulseley to accept the addition of Adult-Gero Acute Care NP to the list of certifications for ANCC and AACN. Amanda Baker seconded the motion. The motion carried unanimously.</p>	<p><u>PROPOSED REVISION FOR BOARD APPROVED ADVANCED PRACTICE CERTIFICATION ORGANIZATIONS</u></p> <p><u>MOTION</u></p>

<p>The 2014 Board of Nursing meeting calendar was presented to the Board for review.</p> <p>A motion was made by Carol Moody to accept the Board of Nursing meeting calendar for 2014 as presented. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p style="text-align: center;"><u>ADMINISTRATOR'S REPORT – 2014 BOARD OF NURSING MEETING CALENDAR</u></p> <p style="text-align: right;"><u>MOTION</u></p>
<p>At its June 14, 2013 meeting, the Pain Management Collaborative Task Force voted to defer consideration of a recommendation regarding this item exclusively to the Board of Nursing for a resolution.</p> <p>The task force discussed/recommended that the Board of Nursing clarify the following: 1) that AO #50 is limited to school settings and 2) that the Board of Nursing minutes from November 17, 2011 (page 6 Midazolam – School Setting) and September 30, 2010 (page 6 – Administration of Intranasal Versed in School Settings) reflect the Board of Nursing's official action regarding an agenda item presented for the school setting.</p> <p>Discussion included but was not limited to AO #50 and the times that Versed has been addressed in past meetings, as well as the discussion held at the June 14, 2013 Pain Management Collaborative Task Force meeting.</p> <p>A motion was made by Carol Moody to clarify that AO #50 is limited to school settings and that the Board of Nursing minutes from November 17, 2011 (page 6 Midazolam – School Setting) and September 30, 2010 (page 6 – Administration of Intranasal Versed in School Settings) reflect the Board of Nursing's official action regarding an agenda item presented for the school setting. Tara Hulsey seconded the motion. The motion carried unanimously.</p>	<p style="text-align: center;"><u>PAIN MANAGEMENT COLLABORATIVE TASK FORCE – CAN LICENSED RNS AND LPNS ADMINISTER SUBLINGUAL, BUCCAL OR INTRANASAL MIDAZOLAM (VERSED) IF ORDERED BY A LICENSED SC PHYSICIAN?</u></p> <p style="text-align: right;"><u>MOTION</u></p>
<p>The Office of the Attorney General's (AG) opinion regarding APRN dispensing was presented to the Board.</p> <p>Discussion included but was not limited to the definition of "dispense," the matter of ownership of medications, when the Boards of Pharmacy and Medical Examiners will review the same issue and the origin of the AG's opinion.</p> <p>A motion was made by Tara Hulsey to defer action on this item until the Board of Pharmacy takes action on the AG's opinion regarding APRN dispensing. James Mallory seconded the motion. The motion carried unanimously.</p>	<p style="text-align: center;"><u>AG'S OPINION REGARDING APRN DISPENSING</u></p> <p style="text-align: right;"><u>MOTION</u></p>
<p>Proposed revisions to the Guidelines for Approval of Non-Routine Licensure Renewal Applications were presented to the Board for review.</p> <p>Discussion included but was not limited to proposed process changes from the last renewal cycle and proposed changes to the types of offenses that can be approved at the administrative level.</p> <p>A motion was made by Tara Hulsey to approve the revised guidelines for approval of non-routine licensure renewal applications as presented and to designate decisions to Board staff as outlined in the guidelines. Carol Moody seconded the motion. The motion carried unanimously.</p>	<p style="text-align: center;"><u>PROPOSED REVISIONS – GUIDELINES FOR APPROVAL OF NON- ROUTINE LICENSURE RENEWAL APPLICATIONS</u></p> <p style="text-align: right;"><u>MOTION</u></p>

<p>A proposed Guidelines for Processing Nurse Licensee CBC Updates “Rap-Back” Program policy was presented to the Board for review.</p> <p>Discussion included but was not limited to discussion of the Rap-Back program -- SLED providing updated background information on licensee fingerprints on file, and the processing of this information.</p> <p>A motion was made by Karen Hazzard to accept the processing nurse licensee CBC update Rap-Back program and the associated proposed policy guidelines. James Mallory seconded the motion. The motion carried unanimously.</p>	<p><u>PROPOSED “RAP-BACK” POLICY</u></p> <p><u>MOTION</u></p>
<p>Ruth Mustard, Nurse Executive, Wm. Jennings Bryan Dorn VA Medical Center appeared before the Board to discuss changes to APRN practice in the veterans administration (VA).</p> <p>Discussion included but was not limited to the VA moving towards APRN independent roles, expected revisions to the VA nursing handbook, APRN roles in VA facilities and expected timeline of implementation.</p> <p>A motion was made by Kay Swisher to accept Ms. Mustard’s report as information. Karen Hazzard seconded the motion. The motion carried unanimously.</p>	<p><u>NURSE PRACTITIONERS IN THE VA</u></p> <p><u>MOTION</u></p>
<p>Larry Gore, CEO, Bee Healthy Medical Weight Loss Clinic appeared before the Board to request a waiver of the APRN physician supervision mileage restriction.</p> <p>Discussion included but was not limited to the nature of the APRN role in the Bee Healthy clinics, the proposed distance between the physician and APRNs and the fact that their physician will never supervise more than three APRNs at any one time.</p> <p>A motion was made by Kay Swisher to grant a waiver of the supervision mileage restriction for Bee Healthy Medical Weight Loss Clinic for the request as presented at this meeting. Tara Hulseley seconded the motion. The motion carried unanimously.</p> <p>Note: If approved by the Board of Nursing, the request must also be reviewed by the Board of Medical Examiners. (§40-33-20 (52) “. . . When application is made for more than three NP’s, CNM’s, or CNS’s to practice with one physician, 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.”)</p>	<p><u>REQUEST FOR WAIVER OF MILEAGE RESTRICTION – BEE HEALTHY MEDICAL WEIGHT LOSS CLINIC</u></p> <p><u>MOTION</u></p>
<p>Mark Sanders and Sparky Almarode, Office of Investigations and Enforcement (OIE), Lynne Rogers and Larry Atkins, Office of General Counsel (OGC), and Darra Coleman, Advice Counsel presented information to the Board regarding the complaint and disciplinary process.</p> <p>Discussion included but was not limited to the drug diversion investigation process, process for utilizing expert reviewers during the investigation process, services that Advice Counsel provides to the Board, actions the Board are authorized to take, confidentiality of board materials, discussing Board business only when in the meeting and recusing when necessary.</p>	<p><u>COMPLAINT PROCESS/FOIA</u></p>

<p>A motion was made Amanda Baker to accept the presentation as information. Tara Hulsey seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>A motion was made by Amanda Baker to go into executive session for the purpose of receiving legal counsel and to have Nancy Murphy, Kathryn Nedovic, Mark Sanders and Sparky Almarode remain for executive session. Tara Hulsey seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Kay Swisher to leave executive session. Amanda Baker seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p>	<p><u>RECOVERING PROFESSIONAL PROGRAM/SERVICES (EXECUTIVE SESSION)</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p>
<p>Respondents appeared before the Board to request modifications to their Consent Agreements or Board orders. The Board also reviewed Memoranda of Agreement stipulating to violations of the Nurse Practice Act to determine disciplinary actions. Finally, the Board reviewed recommendations from panel hearings.</p> <p>In Case # 2012-145, Respondent signed a Memorandum of Agreement (MOA) and waived the right to a panel hearing. Respondent was represented by Jessica Lerer, Esq.</p> <p>A motion was made by Carol Moody 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 Carol Moody to leave executive session. Karen Hazzard seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p> <p>In Case # 2012-145, a motion was made by Amanda Baker to accept the Memorandum of Agreement with the following sanctions: a public reprimand and a \$1,000 civil penalty to be paid within one year, and the required education has already been completed. Kay Swisher seconded the motion. The motion carried with four ayes and three nays.</p> <p>In Case # 2012-179, Respondent signed a Consent Agreement and did not appear.</p> <p>In Case # 2013-298; 2011-266, Respondent requested to modify an existing final order/consent agreement. Respondent was represented by Kathy Schillaci, Esq.</p> <p>Carol Moody recused herself from the proceedings. A quorum was still present.</p> <p>In Case # 2013-298; 2011-266, a motion was made by Kay Swisher to modify</p>	<p><u>HEARINGS/APPEARANCES</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p>

paragraph 1-E of the order under Conclusions of Law to include a probation termination date of six months from July 25, 2013. Amanda Baker seconded the motion. The motion carried with the recusal of Carol Moody.

MOTION

In Case # 2013-291; 2006-307; 2012-352, Respondent requested to modify an existing final order/consent agreement. Respondent was aware of his/her right to legal counsel and waived that right. Respondent appeared but was not represented by legal counsel.

A motion was made by Amanda Baker to go into executive session for the purpose of receiving legal counsel. Carol Moody seconded the motion. The motion carried unanimously.

MOTION

A motion was made by Amanda Baker to leave executive session. Karen Hazzard seconded the motion. The motion carried unanimously.

MOTION

In Case # 2013-291; 2006-307; 2012-352, a motion was made by Tara Hulseley to modify the terms of the Consent Agreement to lift the narcotics restriction as requested. Amanda Baker seconded the motion. The motion carried unanimously.

MOTION

In Case # 2013-290; 2011-322, Respondent requested to modify an existing final order/consent agreement. Respondent was aware of his/her right to legal counsel and waived that right. Respondent appeared but was not represented by legal counsel.

Karen Hazzard recused herself from the proceedings. A quorum was still present.

In Case # 2013-290; 2011-322, a motion was made by Tara Hulseley to modify the terms of the Consent Agreement to lift probation as of July 25, 2013. Carol Moody seconded the motion. The motion carried with the recusal of Karen Hazzard.

MOTION

In Case # 2013-295; 2006-335, Respondent requested to modify an existing final order/consent agreement. Respondent was aware of his/her right to legal counsel and waived that right. Respondent appeared but was not represented by legal counsel.

A motion was made by Carol Moody to go into executive session for the purpose of receiving legal counsel. James Mallory seconded the motion. The motion carried unanimously.

MOTION

A motion was made by Tara Hulseley to leave executive session. Kay Swisher seconded the motion. The motion carried unanimously. No official actions were taken during executive session.

MOTION

In Case # 2013-295; 2006-335, a motion was made by Karen Hazzard to modify the terms of the Order of Reinstatement to allow the respondent to sit for the NCLEX-RN in lieu of completion of the clinical portion of the refresher course in accordance with the NCLEX-RN requirements. Upon successful completion of the NCLEX-RN, respondent shall submit a reinstatement application. Amanda Baker seconded the motion. The motion carried unanimously.

MOTION

In Case # 2013-294; 2009-356, Respondent requested to modify an existing final order/consent agreement. Respondent was aware of his/her right to legal counsel and waived that right. Respondent appeared but was not represented by legal counsel.

<p>A motion was made by Carol Moody 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 Kay Swisher to leave executive session. Carol Moody seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p>	<u>MOTION</u>
<p>In Case # 2013-294; 2009-356, a motion was made by Tara Hulsey to deny the request for release from the Consent Agreement and request that RPP work with the respondent in scheduling testing ahead of travel dates and in extreme travel delay situations outside of respondent's control. Karen Hazzard seconded the motion. The motion carried unanimously.</p>	<u>MOTION</u>
<p>In Case # 2009-189, a panel hearing was held on December 4, 2012. 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>	<u>MOTION</u>
<p>In Case # 2009-189, a motion was made by Carol Moody to accept the panel hearing recommendations. Tara Hulsey seconded the motion. The motion carried unanimously.</p>	
<p>In Case # 2010-234, a panel hearing was held on December 4, 2012. 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>	<u>MOTION</u>
<p>In Case # 2010-234, a motion was made by Amanda Baker to accept the panel hearing recommendations. Tara Hulsey seconded the motion. The motion carried unanimously.</p>	<u>MOTION</u>
<p>In Case # 2010-271, a panel hearing was held on December 4, 2012. 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 but was not represented by legal counsel.</p>	<u>MOTION</u>
<p>In Case # 2010-271, a motion was made by Tara Hulsey to accept the panel hearing recommendations. Amanda Baker seconded the motion. The motion carried unanimously.</p>	<u>MOTION</u>
<p>A motion was made by Tara Hulsey to adjourn the meeting on July 25, 2013 at 3:47 p.m. Amanda Baker seconded the motion. The motion carried unanimously.</p>	<u>MOTION TO ADJOURN</u>

**Friday, July 26, 2013**

HEARINGS/APPLICATIONS

The Board reviewed Memoranda of Agreement stipulating to violations of the Nurse Practice Act to determine disciplinary actions.

The Board reviewed an initial licensure application with “yes” responses to questions regarding criminal convictions. The Board also reviewed a reinstatement application with issues of unlicensed practice. In addition, the Board reviewed a worksite approval application. Finally, the Board reviewed applications for reinstatement of disciplined licenses.

In Case # 2011-66, Respondent signed a Memorandum of Agreement (MOA) and waived the right to a panel hearing. Respondent was represented by Travis Dayhuff, Esq.

MOTION

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

MOTION

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

MOTION

In Case # 2011-66, a motion was made by Kay Swisher to accept the Memorandum of Agreement with the following sanctions: a private reprimand, a \$500 civil penalty to be paid within one year, and the completion of Medication Administration, Medication Errors, Medication Documentation, Critical Thinking, Legal Aspects, and Ethics Courses within one year. Karen Hazzard seconded the motion. The motion carried unanimously.

In Case # 2012-411, Respondent signed a Memorandum of Agreement (MOA) and waived the right to a panel hearing. Respondent was represented by Jon Ozmint, Esq.

MOTION

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

MOTION

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

MOTION

In Case # 2012-411, a motion was made by Amanda Baker to accept the Memorandum of Agreement with the following sanctions: a public reprimand, one year probation starting retroactively to November 7, 2012, a \$500 civil penalty to be paid within six months, the completion of Legal Aspects, Ethics, Medication Administration, and Medication Documentation courses, one year narcotics restriction with an exemption for Ketamine, Propofol, and Versed; either an APRN or MD must be the supervisor providing oversight, and an RN will provide line-of-sight supervision. Respondent must comply with RPP requirements, and testing must be specifically for Versed, Ketamine, and Propofol. Karen Hazzard seconded the motion. The motion carried unanimously.

In Case # 2012-411,, an amended motion was made by Amanda Baker to

MOTION

include that the Board desires to receive quarterly reports from the employer so that the Board can ensure that even though the probationary status has technically been lifted, that there is ongoing monitoring. Kay Swisher seconded the motion. The motion carried unanimously.

In Case # 2011-306, Respondent signed a Memorandum of Agreement (MOA) and waived the right to a panel hearing. Respondent was represented by Charles Hill, Esq.

A motion was made by Carol Moody to go into executive session for the purpose of receiving legal counsel. Amanda Baker seconded the motion. The motion carried unanimously.

MOTION

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

MOTION

In Case # 2011-306, a motion was made by Amanda Baker to accept the Memorandum of Agreement with the following sanctions: a private reprimand, a \$250 civil penalty to be paid within one year, and the completion of Legal Aspects, Medication Errors, Medication Administration, Medication Documentation, and Ethics courses within one year. Karen Hazzard seconded the motion. The motion carried unanimously.

MOTION

An applicant for worksite approval appeared before the Board. Respondent was represented by T. Micah Leddy, Esq.

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.

MOTION

A motion was made by Kay Swisher 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 Amanda Baker to grant the worksite approval request. Kay Swisher seconded the motion. The motion carried unanimously.

MOTION

An applicant for licensure as a registered nurse by reinstatement appeared before the Board regarding issues of unlicensed practice during refresher course clinicals. Respondent was aware of his/her right to legal counsel and waived that right. Respondent appeared but was not represented by legal counsel.

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

MOTION

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

MOTION

A motion was made by Karen Hazzard to reinstate the license with the following sanctions: a private reprimand and a \$250 civil penalty to be paid within six months for failure to obtain a temporary license for completing the refresher course. Kay Swisher seconded the motion. The motion carried unanimously.

MOTION

<p>An applicant for licensure as a registered nurse by disciplined reinstatement appeared before the Board regarding his/her application. Respondent was aware of his/her right to legal counsel and waived that right. Respondent appeared but was not represented by legal counsel.</p> <p>A motion was made by Amanda Baker to reinstate the license. Karen Hazzard seconded the motion. The motion carried unanimously.</p> <p>An applicant for licensure as a registered nurse by disciplined reinstatement appeared before the Board regarding his/her application. Respondent was aware of his/her right to legal counsel and waived that right. Respondent appeared but was not represented by legal counsel.</p> <p>A motion was made by Karen Hazzard to grant a temporary license for completion of the clinical portion of the refresher course. Applicant will be able to receive a full license upon successful completion of the refresher course. Amanda Baker seconded the motion. The motion carried unanimously.</p> <p>An applicant for licensure as a registered nurse by disciplined reinstatement appeared before the Board regarding his/her application. Respondent was aware of his/her right to legal counsel and waived that right. Respondent appeared but was not represented by legal counsel.</p> <p>A motion was made by Amanda Baker 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 James Mallory to leave executive session. Amanda Baker seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p> <p>A motion was made by Karen Hazzard that pursuant to 40-33-116 of the Nurse Practice Act, the Board determined that probable cause exists for a current mental evaluation by a Board-approved provider based on the previous evaluation and diagnosis. Failure to complete the evaluation within 90 days will result in automatic issuance of the Order Denying Application. Upon completion of the evaluation, respondent shall appear before the Board for further action. Kay Swisher seconded the motion. The motion carried unanimously.</p> <p>An applicant for licensure as a registered nurse by examination appeared before the Board regarding yes answers to questions regarding criminal convictions on the examination application. Respondent was aware of his/her right to legal counsel and waived that right. Respondent appeared but was not represented by legal counsel.</p> <p>A motion was made by Amanda Baker to grant RN licensure. Kay Swisher 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><u>MOTION</u></p>
<p>A motion was made by James Mallory to adjourn the meeting at 12:06 p.m. on Friday, July 26, 2013. Karen Hazzard seconded the motion. The motion carried unanimously.</p> <p>NOTE: These minutes are a brief summary of the meeting and a record of the motions and official</p>	<p><u>MOTION TO ADJOURN</u></p>

actions taken by the Board.	
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