



South Carolina  
Department of Labor, Licensing and Regulation



110 Centerview Drive  
Post Office Box 12367  
Columbia, SC 29211-2367  
Telephone (803) 896-4550  
FAX: (803) 896-4515  
www.llr.state.sc.us/pol/nursing/

Nikki R. Haley  
Governor

Holly G. Pisarik  
Director

**Board of Nursing**

**MARCH 28-29, 2013 BOARD OF NURSING MEETING MINUTES**

<p>Board President Samuel McNutt called the Board of Nursing meeting to order at 8:30 a.m. on Thursday, March 28, 2013 and at 8:32 a.m. on Friday, March 29, 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. Hulseley, PhD, RN, CNE .....Present Congressional District 1</p> <p>W. Kay Swisher, RNC, MSN.....Excused Congressional District 3</p> <p>Lisa Cox Schafer, RN, MSN, NEA-BC .....Present Congressional District 6</p> <p>Karen R. Hazzard, MSN, RN, NE-BC.....Excused Congressional District 7</p> <p>Anne Crook, PhD .....Present Public Member</p> <p>James E. Mallory, EdD ..... Excused Public Member</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 Kristy Speronis, Practice Consultant Shannon Beaudry, Administrative Assistant Darra Coleman, Advice Counsel Lynne Rogers, Office of General Counsel Erin Baldwin, 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>W. Kay Swisher, Karen Hazzard and James Mallory were excused from the March 2013 meeting.</p>	<p><u>EXCUSED ABSENCES</u></p>

<p>The March 28-29, 2013 Board of Nursing Meeting Regular Agenda was presented for the Board's review and approval.</p> <p>A motion was made by Anne Crook to approve the Regular Agenda as presented. Lisa Schafer seconded the motion. The motion carried unanimously.</p>	<p style="text-align: right;"><u>APPROVAL OF AGENDA</u></p> <p style="text-align: right;"><u>MOTION</u></p>
<p>The Consent Agenda for the March 28-29, 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 Information: NCLEX RN and PN Summary Statistics for 2012</li> <li>b) For Information: Schools with Deficient NCLEX Pass Rate for Test Year 2012</li> <li>c) For Acceptance: June 19, 2012 Advisory Committee on Nursing Meeting Minutes</li> <li>d) For Acceptance: October 11, 2012 Nursing Practice and Standards Committee Meeting Minutes</li> <li>e) For Acceptance: November 2, 2012 Advanced Practice Committee Meeting Minutes</li> <li>f) For Information: NCSBN/ NLCA Executive Committee Meeting Minutes January 18-19, 2013</li> <li>g) For Information: NCSBN Practice Knowledge Network Call Off-Label Drug Use January 10, 2013</li> <li>h) For Information: NCSBN/ HIPAA Regarding Danger to Self or Others</li> <li>i) For Information: NCSBN/ New NCLEX-RN Passing Standard Goes in to Effect April 2, 2013</li> <li>j) For Information: NCSBN Morning Briefing February 12, 2013</li> <li>k) For Information: NCSBN Morning Briefing February 15, 2013</li> <li>l) For Information: NCSBN Morning Briefing February 19, 2013</li> <li>m) For Information: NCSBN Morning Briefing February 21, 2013</li> <li>n) For Information: NCSBN 2012 Environmental Scan</li> <li>o) For Information: NLN Announcement</li> <li>p) For Information: NCSBN Celebrates 35<sup>th</sup> Anniversary</li> <li>q) For Information: Renewing the National Commitment to Putting America's Heroes Back to Work</li> <li>r) For Information: Budget (on table for review)</li> </ul> <p>A motion was made by Tara Hulseley to approve the Consent Agenda as presented. Amanda Baker seconded the motion. The motion carried unanimously.</p>	<p style="text-align: right;"><u>APPROVAL OF CONSENT AGENDA</u></p> <p style="text-align: right;"><u>MOTION</u></p>

<p>The January 24-25, 2013 regular Board Meeting minutes were presented for the Board's review and approval.</p> <p>A motion was made by Amanda Baker to approve the January 24-25, 2013 meeting minutes as presented. Lisa Schafer 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 January 2013 Board meeting. The Disciplinary Sanctions Guidelines Matrix is used by the IRC in making these recommendations.</p> <p>A motion was made by Lisa Schafer to approve 13 cases for Dismissal as recommended by the Investigative Review Committee (IRC). Tara Hulsey seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Amanda Baker to approve 43 cases for Formal Complaint as recommended by the Investigative Review Committee (IRC). Lisa Schafer seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Tara Hulsey to approve one case for dismissal with a Letter of Caution as recommended by the Investigative Review Committee (IRC). Amanda Baker seconded the motion. The motion carried unanimously.</p> <p>Mr. Sanders also presented the OIE Statistical Report for the fourth quarter of 2012 for the Board's information.</p>	<p><u>OFFICE OF INVESTIGATION AND ENFORCEMENT (OIE)</u></p> <p><u>INVESTIGATIVE REVIEW COMMITTEE (IRC)</u></p> <p><u>REPORT</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p>
<p>Due to an identified quorum issue for Friday, March 29<sup>th</sup>, the Board discussed deferring some agenda items until the April 2<sup>nd</sup> Board meeting.</p> <p>Discussion included but was not limited to moving the South Carolina State University and hearing/ application appearances to the April 2<sup>nd</sup> agenda except for the applicants traveling in from out-of-state.</p> <p>A motion was made by Anne Crook that all cases and appearances scheduled for Friday, March 29<sup>th</sup>, be moved to April 2<sup>nd</sup> except for the appearances traveling in from out-of-state due of the identified quorum issue. Tara Hulsey seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Lisa Schafer to amend the April 2<sup>nd</sup> agenda as described to add South Carolina State and the additional hearings. Carol Moody seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p> <p><u>MOTION</u></p>
<p>At its February 19, 2013 meeting, the Advisory Committee on Nursing (ACON) voted to forward the ITT Technical Institute Columbia – Current Feasibility Study for Establishing a Proposed Associate Degree Registered Nursing Program to the Board for consideration and requested additional documentation also be included clarifying/ incorporating areas of concern regarding the following:</p> <ul style="list-style-type: none"> <li>• Clarify the maximum number of students/ quarter and the number of students requiring clinical placement/ quarter</li> <li>• Clarify the program plans for fulltime and adjunct faculty numbers/ roles</li> <li>• Clarify the plans for mental health and acute care clinical experiences/</li> </ul>	<p><u>ITT TECHNICAL INSTITUTE COLUMBIA – CURRENT FEASIBILITY STUDY FOR ESTABLISHING A PROPOSED REGISTERED NURSING PROGRAM</u></p>

<p>facilities (to include census/ experience availability) to be utilized and provide supporting documentation</p> <ul style="list-style-type: none"> <li>• Clarify regarding potential job placement opportunities for graduates</li> <li>• Clarify regarding curriculum credits/ hours for the SC planned ADN program</li> <li>• Clarify the plans for ability to place the approximately 150 planned students that will require clinical experiences at any one time</li> <li>• Clarify travel arrangements/ plans for faculty/ students for the distant clinical experiences being planned</li> <li>• Clarify the role being planned for utilizing preceptors for clinical experiences</li> </ul> <p>Julie Hamilton, Interim Chair, Breckinridge School of Nursing, ITT Technical Institute Columbia appeared before the Board to discuss/ respond to questions regarding the ITT Technical Institute Columbia Proposed Feasibility Study for Establishing a Proposed Registered Nursing program and their response materials as recommended by ACON.</p> <p>Discussion included but was not limited to competition for clinical sites, student enrollment numbers, setup of quarterly nursing curriculum, simulation versus clinical hours, number of faculty to be hired, program budget, types of clinical opportunities and possibly lowering the number of students accepted.</p> <p>A motion was made by Anne Crook to go into executive session for the purpose of receiving legal counsel. Carol Moody seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Amanda Baker to leave executive session. Carol Moody seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p> <p>A motion was made by Tara Hulseley to deny the application for a proposed RN program due to the following concerns: inadequate clinical sites for the projected number of students in the areas of acute care, mental health, pediatrics, maternity and critical care, limited budget for lab and simulation based on the projected number of students, limited number of faculty for the projected number of students and a lack of specificity regarding reliance on simulation. Lisa Schafer seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p>
<p>At its February 19, 2013 meeting, the Advisory Committee on Nursing (ACON) reviewed the faculty approval request submitted by Trident Technical College (TTC) regarding consideration of Haley Provosty as a full-time faculty member for the course Mental Health Promotion (NUR 207). The committee voted to recommend the Board approve the request as presented.</p> <p>The TTC request materials were provided for the Board's review. Muriel Horton, Dean of Nursing and Jill Baron, Department Head, Nursing Specialties, TTC appeared before the Board to discuss the request and answer questions.</p> <p>Discussion included but was not limited to Ms. Provosty's qualifications, plans to teach cooperatively with another faculty member with psychiatric/ mental health clinical experience, clinical teaching roles and the eventual plan for Trident Technical College to integrate mental health throughout their curriculum.</p>	<p><u>TRIDENT TECHNICAL COLLEGE – FACULTY APPROVAL REQUEST</u></p>

<p>A motion was made by Carol Moody to approve the request for Ms. Provosty for the faculty appointment as presented. Tara Hulseley seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>Anne McKibbin, Statewide Forensic Examiner Coordinator, Kelly Clune, SANE, Spartanburg Regional Medical Center Forensic Nurse Coordinator and Marlena Clarey, Clinical Program Supervisor, Palmetto Health appeared before the Board to clarify when a nurse is presented with the matter of conducting examinations on victims or suspects without consent but with the presence of a warrant.</p> <p>Discussion included but was not limited to items collected during a forensic examination, SANE nurses role in conducting forensic examinations and evidentiary versus therapeutic examinations.</p> <p>A motion was made by Carol Moody to go into executive session for the purpose of receiving legal counsel. Lisa Schafer seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Carol Moody to leave executive session. Lisa Schafer seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p> <p>A motion was made by Amanda Baker that it is the position of the Board that it is not unprofessional conduct of a nurse to obtain forensic evidence from a victim or suspect who does not give consent with the presence of a warrant or a court order. Tara Hulseley seconded the motion. The motion carried unanimously.</p>	<p style="text-align: center;"><u>SANE NURSES – SUBPOENA/ COLLECTION OF SPECIMENS</u></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>Bobbie Earls, Manager-Hospital Physicians, J.B. Fowler, Hospitalist, Chris Lobardozi, Physician, and Mary Jane Jennings, Vice President, Spartanburg Regional Medical Center appeared before the Board to request a waiver for their physicians to supervise more than three nurse practitioners. Information regarding providers and schedules was provided to the Board.</p> <p>Discussion included but was not limited to the number of nurse practitioners that would work with a physician at any one time, the supervising physician will always be on site to work with the nurse practitioner and the number of alternative physicians that would need to be added to each nurse practitioner's file.</p> <p>A motion was made by Lisa Schafer to accept the list of nurse practitioners and physicians as outlined with the stipulation that a physician is never practicing concurrently with more than three nurse practitioners at any given time. 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 style="text-align: center;"><u>REQUEST TO SUPERVISE MORE THAN THREE NURSE PRACTITIONERS – SPARTANBURG REGIONAL MEDICAL CENTER</u></p> <p style="text-align: right;"><u>MOTION</u></p>

<p>At its November 16<sup>th</sup>, 2000 meeting, the Board of Nursing approved a SC Department of Mental Health "Policy for Provision of Samples by the Licensed Nurse, "...after months of careful review and coordination with the SC Board of Pharmacy. The only stipulation in this approval is that, should the enclosed policy for the Columbia Area Mental Health Center be used as a model for other area mental health centers, that the wording be used without modification. Should another area mental health center choose to modify this policy for its use, the approval from the Board would not transfer to the additional center without presentation in advance to the Board".</p> <p>R. Alan Powell, SC Department of Mental Health (SCDMH) General Counsel and Dr. Robert Bank, SCDMH Medical Director appeared before the Board to request revisions to the policy. The proposed revisions to the policy were first presented to the Board of Pharmacy at its March 20, 2013 meeting. The proposed policy as approved by the SC Board of Pharmacy was presented for the Board's review.</p> <p>Discussion included but was not limited to physicians delegating sample management to RNs, adding verbiage in the policy to reflect the electronic medical records system and provisions for patient drug information.</p> <p>A motion was made by Lisa Schafer to accept the recommendations brought forth to amend the original document to include the technology available today. Carol Moody seconded the motion. The motion carried unanimously</p>	<p style="text-align: center;"><u>SCDMH POLICY FOR PROVISION OF SAMPLES BY THE REGISTERED NURSE</u></p> <p style="text-align: center;"><u>MOTION</u></p>
<p>At its February 1, 2013 meeting, the Advanced Practice Committee (APC) recommended the Board approve revisions to Advisory Opinion (AO) #60 as presented.</p> <p>A motion was made by Carol Moody to accept the revision to Advisory Opinion #60 as presented. Tara Hulseley seconded the motion. The motion carried unanimously.</p> <p>Nancy Murphy relayed that the Medical Board rescinded its Post Exposure Prophylaxis Policy at its February 2013 meeting and that it has been removed from their website.</p>	<p style="text-align: center;"><u>ADVISORY OPINION #60</u></p> <p style="text-align: center;"><u>MOTION</u></p>
<p>At its February 19, 2013 meeting, the Advisory Committee on Nursing (ACON) reviewed the nomination forms/ recommended the Board approve Nancy Duffy for the second BSN Educator position and Catherine Durham for the Graduate Educator position.</p> <p>The nomination forms were provided for the Board's review. Ms. Durham appeared before the Board to respond to questions. Ms. Duffy has been rescheduled to appear at the May 2013 meeting.</p> <p>A motion was made by Amanda Baker to accept Ms. Durham's nomination to ACON for the Graduate Educator position. Carol Moody seconded the motion. The motion carried unanimously.</p>	<p style="text-align: center;"><u>COMMITTEE MEMBER NOMINATIONS – ADVISORY COMMITTEE ON NURSING</u></p> <p style="text-align: center;"><u>MOTION</u></p>
<p>At its February 1, 2013 meeting, the Advanced Practice Committee (APC) reviewed the nomination form/ recommended the Board approve Kahlil Demonbreun for the Adult Nurse Practitioner position.</p> <p>The nomination form was provided for the Board's review. Mr. Demonbreun appeared before the Board to respond to questions.</p>	<p style="text-align: center;"><u>COMMITTEE MEMBER NOMINATIONS – ADVANCED PRACTICE COMMITTEE</u></p>

<p>A motion was made by Carol Moody to accept Mr. Demonbreun's application for membership on the Advanced Practice Committee. Lisa Schafer seconded the motion. The motion carried unanimously.</p>	<p style="text-align: right;"><u>MOTION</u></p>
<p>A motion was made by Lisa Schafer to go into executive session for the purpose of receiving legal counsel with the addition of Lynne Rogers, Nancy Murphy, Prentiss Shealey, Mark Sanders and Kate Nedovic. Amanda Baker seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Carol Moody to leave executive session. Lisa Schafer seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p> <p>A motion was made by Lisa Schafer regarding the RPP contract:</p> <ol style="list-style-type: none"> <li>1. To approve RPP's ADHD exception proposed policy with the modification on page 2 number 4 for records to also be sent to the Office of General Counsel</li> <li>2. To remove the one year monitoring requirement for licensees who have no diagnosis or diagnoses that are not otherwise specified and to release those licensees who have no diagnosis or not otherwise specified diagnoses that are currently being monitored for one year in the RPP program</li> <li>3. To maintain the one positive drug test policy currently in place and to add on the second positive test that the RPP recommend immediate action be taken by the State Board of Nursing</li> <li>4. To defer the survey review to the May meeting of the State Board of Nursing</li> </ol> <p>Tara Hulseley seconded the motion. The motion carried unanimously.</p>	<p style="text-align: right;"><u>RECOVERING PROFESSION PROGRAM/SERVICES (EXECUTIVE SESSION) MOTION</u></p> <p style="text-align: right;"><u>MOTION</u></p> <p style="text-align: right;"><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.</p> <p>Carol Moody recused herself from the proceedings. A quorum was still present.</p> <p>In Case # 2013-79; 2011-148, Respondent requested to modify an existing final order/consent agreement. Respondent was represented by C. William Hinnant, Jr., Esq.</p> <p>A motion was made by Lisa Schafer to go into executive session for the purpose of receiving legal counsel. Amanda Baker seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Lisa Schafer to leave executive session. Amanda Baker seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p> <p>In Case # 2013-79; 2011-148, a motion was made by Tara Hulseley to modify the Consent Agreement to lift probation with all other areas of the order to be completed, including four quarters of reports. Anne Crook seconded the motion.</p>	<p style="text-align: right;"><u>HEARINGS/APPEARANCES</u></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>The motion carried with the recusal of Carol Moody.</p> <p>In Case # 2013-81; 2005-384, Respondent requested to modify an existing final order/consent agreement. Respondent was represented by A. Randolph Hough, Esq.</p> <p>In Case # 2013-81, 2005-384, a motion was made by Anne Crook to grant the request to eliminate the two issues that were expunged from respondent's criminal record. Amanda Baker seconded the motion. The motion carried unanimously.</p> <p>In Case # 2013-91; 2012-350, Respondent requested to modify an existing final order/consent agreement. Respondent was represented by Victor Lee, Esq.</p> <p>In Case # 2013-91; 2012-350, a motion was made by Amanda Baker to approve the DMD request for supervision. Anne Crook seconded the motion. The motion carried unanimously.</p> <p>In Case # 2013-80; 2012-353, 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> <p>In Case # 2013-80; 2012-353, a motion was made by Carol Moody to grant the request to lift probation to allow the respond to pursue gainful employment based on continuation with RPP. The Board requested administration move the respondent process as quickly as possible. Tara Hulseley seconded the motion. The motion carried unanimously.</p> <p>Lisa Schafer recused herself from the proceedings. A quorum was still present.</p> <p>In Case # 2013-78; 2003-387, 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> <p>In Case # 2013-78; 2003-387, a motion was made by Anne Crook to grant the request to redact reference to the charge from the 1994 and 2002 order. Amanda Baker seconded the motion. The motion carried with the recusal of Lisa Schafer.</p> <p>In Case # 2012-99, Respondent signed a Memorandum of Agreement (MOA) and waived the right to a panel hearing. Respondent was represented by Victor Lee, Esq.</p> <p>A motion was made by Lisa Schafer to go into executive session for the purpose of receiving legal counsel. Tara Hulseley seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Carol Moody to leave executive session. Lisa Schafer seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p> <p>In Case # 2012-99, a motion was made by Amanda Baker to accept the Memorandum of Agreement with one year suspension with stay, probation for one year, a \$500 civil penalty payable within 60 days, the completion of Legal Aspects and Ethics Courses within six months, standard narcotics restrictions, quarterly</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><u>MOTION</u></p> <p><u>MOTION</u></p>
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<p>reports, and a five year contract with RPP, and the effective date of the order would be March 28<sup>th</sup>, 2013. Carol Moody seconded the motion. The motion carried unanimously.</p> <p>In Case # 2012-205, 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 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. Carol Moody seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Lisa Schafer to leave executive session. Tara Hulsey seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p> <p>In Case # 2012-205, a motion was made by Amanda Baker to accept the Memorandum of Agreement with the following stipulations: a public reprimand, one year suspension with stay, a \$500 civil penalty to be paid within 60 days, the completion of Legal Aspects and Ethics courses within six months, one year narcotic restriction, and thereafter the narcotic restriction is at the discretion of the respondent's Director of Nursing and quarterly reports. If a violation occurs, there is to be an automatic administrative suspension. Tara Hulsey seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Tara Hulsey to modify the original motion to include probation. Anne Crook seconded the motion. The motion carried unanimously.</p> <p>In Case # 2012-179, Respondent requested to be moved to the May meeting agenda.</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 style="text-align: right;"><u>MOTION</u></p>
<p>A motion was made by Anne Crook to defer action on this item until May. Tara Hulsey seconded the motion. The motion carried unanimously.</p>	<p style="text-align: right;"><u>INVESTIGATIVE REVIEW COMMITTEE – DISCIPLINARY SANCTIONS GUIDELINES MATRIX</u></p> <p style="text-align: right;"><u>MOTION</u></p>
<p>Nancy Murphy shared information regarding the NCSBN Compact Meeting that was held here at LLR on February 14, 2013. Jim Puente, NCSBN Associate, Nurse Licensure Compact and Joey Ridenour, Executive Director, Arizona State Board of Nursing were the presenters for the educational offering. Samuel McNutt was in attendance as well as staff from the nursing board, Office of General Counsel and Office of Investigations and Enforcement. Positive feedback was received regarding the workshop.</p>	<p style="text-align: right;"><u>ADMINISTRATOR'S REPORT – NCSBN COMPACT MEETING</u></p>
<p>Nancy Murphy presented the Change of Practice Form for correction of a scrivener's error regarding statutory citations.</p> <p>Discussion included but was not limited to the corrections to the citations, a request received to create a separate CRNA Change of Practice Form and</p>	<p style="text-align: right;"><u>ADMINISTRATOR'S REPORT – CORRECTION OF SCRIVENER'S ERROR – CHANGE OF PRACTICE FORM</u></p>

<p>remaining consistent with statutory language.</p> <p>A motion was made by Anne Crook to have one form for all APRNs with the corrections as proposed. Lisa Schafer seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>At its January 2013 meeting, the Board approved Samuel McNutt and Nancy Murphy to attend the NCSBN Midyear Meeting. The Midyear Meeting was held from March 11 through March 13, 2013, in San Jose, CA.</p> <p>Discussion included but was not limited to selecting a board member delegate along with the administrator to attend the NCSBN yearly meeting in Rhode Island, the business for the yearly meeting, the use of private reprimands/ agreements by other Boards, the VA implementing the APRN consensus model and discussion of national practice standards.</p> <p>Darra Coleman provided an update on the collaborative task force to discuss pain management, stating that the delegates for the Board of Nursing, Board of Pharmacy, and Board of Medical Examiners have all been selected and that only a date needs to be set for the meeting.</p>	<p><u>PRESIDENT'S REPORT –</u> <u>NCSBN MIDYEAR</u> <u>MEETING</u></p>
<p>Approval was requested from the Board to place information regarding the NURSYS Nursing Licensure Verification and Confirmation information as presented on the Board's website.</p> <p>Discussion included but was not limited to NURSYS E-Notify and how NURSYS E-Notify could be utilized by employers.</p> <p>A motion was made by Tara Hulseley to approve the use of the NURSYS Nursing Licensure Verification and Confirmation as presented on the website. Lisa Schafer seconded the motion. The motion carried unanimously.</p>	<p><u>NCSBN NURSYS</u></p> <p><u>MOTION</u></p>
<p>The Board was requested to approve the utilization of the International English Language Testing System (IELTS) as an option to meet the foreign educated nurse application requirements for English proficiency.</p> <p>Discussion included but was not limited to the current options for foreign educated nurses to demonstrate English proficiency and other Boards' use of the IELTS service.</p> <p>A motion was made by Tara Hulseley to add the English language proficiency service to the website. Anne Crook seconded the motion. The motion carried unanimously.</p>	<p><u>ENGLISH LANGUAGE</u> <u>PROFICIENCY SERVICES</u></p> <p><u>MOTION</u></p>
<p>A motion was made by Lisa Schafer to adjourn the meeting on March 28, 2013 at 4:37 p.m. Tara Hulseley seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION TO ADJOURN</u></p>
<p><b>Friday, March 29th, 2013</b></p> <p>This agenda item was rescheduled during the meeting's earlier quorum discussion to April 2, 2013.</p>	<p><u>SOUTH CAROLINA STATE</u> <u>UNIVERSITY – NURSING</u> <u>PROGRAM STATUS</u> <u>UPDATE</u></p>

	<u>HEARINGS/APPLICATIONS</u>
<p>The Board reviewed initial and reinstatement/ reactivation licensure applications with “yes” responses to questions regarding criminal convictions, discipline by employers and discipline in another state. In addition, the Board reviewed an APRN application regarding certification requirements. Finally, the Board reviewed applications for reinstatement of disciplined licenses.</p>	
<p>The Board also reviewed Memoranda of Agreement stipulating to violations of the Nurse Practice Act to determine disciplinary actions.</p>	
<p>An applicant for licensure as an advanced practice registered nurse by reinstatement appeared before the Board regarding the certification requirement on his/her reinstatement 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 Carol Moody to go into executive session for the purpose of receiving legal counsel. Amanda Baker seconded the motion. The motion carried unanimously.</p>	<u>MOTION</u>
<p>A motion was made by Tara Hulseley 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>A motion was made by Lisa Schafer to approve the applicant as a licensed RN in South Carolina but to deny the request to be an advanced practice registered nurse with prescriptive authority until national certification as an advanced practice nursing specialty has been accomplished, pursuant to Section 40-33-34 and 40-33-35, Paragraph 7. Tara Hulseley seconded the motion. The motion carried unanimously.</p>	<u>MOTION</u>
<p>An applicant for licensure as a registered nurse by endorsement appeared before the Board regarding his/her “yes” response to questions on the application regarding employer discipline and discipline in another state. 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. Carol Moody seconded the motion. The motion carried unanimously.</p>	<u>MOTION</u>
<p>A motion was made by Lisa Schafer 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>A motion was made by Tara Hulseley to grant RN licensure with the completion of Medication Administration and Medication Documentation courses within six months. If the courses are not completed within six months, the license will be administratively suspended. Carol Moody seconded the motion. The motion carried unanimously.</p>	<u>MOTION</u>
<p>An applicant for licensure as a registered nurse by reinstatement appeared before the Board regarding matters with the employer certification document. 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 the RN licensure reinstatement with a Letter of Caution regarding forging a signature. Tara Hulsey seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>An applicant for licensure as a registered nurse for reinstatement from suspension 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 Carol Moody to go into executive session for the purpose of receiving legal counsel. Amanda Baker seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>A motion was made by Lisa Schafer to leave executive session. Carol Moody 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 Tara Hulsey to grant a temporary license for 90 days, to be extended by the administrator if needed, in order to complete the refresher course pursuant to 40-33-40 (B)(3) of the Nurse Practice Act. Upon successful completion of the refresher course, the license will be reinstated with the following stipulations: remain in RPP for five years and quarterly reports for one year upon employment. Lisa Schafer seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>In Case #2011-102, 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 but was not represented by legal counsel.</p>	
<p>A motion was made by Carol Moody to go into executive session for the purpose of receiving legal counsel. Tara Hulsey seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>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.</p>	<p><u>MOTION</u></p>
<p>In Case #2011-102, a motion was made by Tara Hulsey to accept the Memorandum of Agreement with the following sanctions: a public reprimand, a \$1,000 civil penalty to be paid within one year, and completion of the Delegating Effectively and Ethics courses within six months. Lisa Schafer seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>The Board discussed Cease and Desist orders. Darra Coleman stated that Cease and Desist Orders have traditionally been handled by the administrator but that the Board should state whether the administrator will continue to have this authority.</p>	
<p>A motion was made by Anne Crook to delegate authority to the administrator for Cease and Desist orders as has been the practice in the past. Tara Hulsey seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>A motion was made by Lisa Schafer to adjourn the meeting at 10:36 a.m. on</p>	<p><u>MOTION TO ADJOURN</u></p>

Friday, March 29, 2013. Carol Moody seconded the motion. The motion carried unanimously.

NOTE: These minutes are a brief summary of the meeting and a record of the motions and official actions taken by the Board.