



South Carolina  
Department of Labor, Licensing and Regulation



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Nikki R. Haley  
Governor

Holly G. Pisarik  
Director

**Board of Nursing**

**MARCH 29-30, 2012 BOARD OF NURSING MEETING MINUTES**

Board President, Samuel McNutt, called the Board of Nursing meeting to order at 8:36 a.m. on Thursday, March 29, 2012 and at 8:31 a.m. on Friday, March 30, 2012. 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.

CALL TO ORDER  
PLACE OF MEETING  
& FOIA COMPLIANCE

- Samuel H McNutt, RN, CRNA, MHSA, President ..... Present  
Congressional District 5
- Carol A Moody, RN, MAS, NEA-BC, Vice President..... Present  
Congressional District 4
- Lisa C Irvin, RN, MSN, NEA-BC, Secretary..... Present  
Congressional District 6
- Amanda Baker, RN, MSN, CRNA, MNA..... Present  
Congressional District 2
- Tara F. Hulseley, PhD, RN, CNE ..... Present  
Congressional District 1
- Anne Crook, PhD ..... Present  
Public Member
- James E Mallory, EdD ..... Present  
Public Member

BOARD MEMBERS  
PRESENT &  
VOTING

Registered Nurse Vacancy– Congressional District 3  
Two Licensed Practical Nurse Vacancies - Regions I & II

Nancy Murphy, MS, RN, BC, CPM, Board Administrator  
Sheridon Spoon, Office of Advice Counsel  
Sara McCartha, Office of Advice Counsel  
Lynne Rogers, Office of General Counsel

LLR STAFF  
PRESENT FOR  
CERTAIN ITEMS

There were no absences.

EXCUSED ABSENCES

The March 29-30, 2012 Board of Nursing Meeting Regular Agenda was presented for the Board's review and approval.

APPROVAL OF AGENDA

A motion was made by Anne Crook to accept the Regular Agenda as presented. Lisa Irvin seconded the motion. The motion carried unanimously.

MOTION

The Consent Agenda for the March 29-30, 2012 Board of Nursing Meeting was presented for the Board's review and approval /acceptance as information.

APPROVAL OF CONSENT  
AGENDA

- a. For Information: NCLEX RN and PN Summary Statistics for 2011
- b. For Information: Schools with Deficient NCLEX Pass Rate for 2011
- c. For Information: NCSBN Distribution of Programs by National Passing Percentages
- d. For Acceptance: October 13, 2011 Nursing Practice and Standards Committee Meeting Minutes
- e. For Acceptance: October 18, 2011 Advisory Committee on Nursing Meeting Minutes
- f. For Acceptance: November 4, 2011 Advanced Practice Committee Meeting Minutes
- g. For Information: Boards and Redistricting – Catherine Templeton
- h. For Information: NCSBN Brief CEO Communiqué – Kathy Apple
- i. For Information: Budget (on table)

A motion was made by Carol Moody to accept the Consent Agenda as presented. Lisa Irvin seconded the motion. The motion carried unanimously

MOTION

The January 26-27, 2012 regular board meeting minutes were presented for the Board's review and approval.

APPROVAL OF MINUTES

A motion was made by James Mallory to approve the January 26-27, 2012 meeting minutes as presented. Amanda Baker seconded the motion. The motion carried unanimously.

MOTION

The February 10, 2012 conference call board meeting minutes were presented for the Board's review and approval.

A motion was made by James Mallory to approve the February 10, 2012 conference call board meeting minutes as presented. Amanda Baker seconded the motion. The motion carried unanimously.

MOTION

Mark Sanders, Chief Investigator for Office of Investigations and Enforcement (OIE) presented the Investigative Review Committee (IRC) Report with recommendations from its meetings held since the January 2012 Board meeting. The Disciplinary Sanctions Guidelines chart is used by the IRC in making these recommendations.

OFFICE OF INVESTIGATION  
AND ENFORCEMENT (OIE)

INVESTIGATIVE REVIEW  
COMMITTEE (IRC)

A motion was made by Anne Crook to approve 15 of the 16 cases for Dismissal as recommended by the Investigative Review Committee (IRC) with the removal of case #2011-364 to be returned to the IRC for additional review. Amanda Baker seconded the motion. The motion carried unanimously.

MOTION

A motion was made by Carol Moody to approve 62 cases for Formal Complaint as recommended by the Investigative Review Committee (IRC). Tara Hulseley seconded the motion. The motion carried unanimously.

MOTION

A motion was made by Amanda Baker to approve one case for dismissal with a Letter of Concern as recommended by the Investigative Review Committee (IRC). Carol Moody seconded the motion. The motion carried unanimously.

MOTION

Mr. Sanders also provided the Board with statistics for cases received

between January 1, 2011 and December 31, 2011.

A motion was made by James Mallory to approve the statistics as presented. Carol Moody seconded the motion. The motion carried unanimously.

MOTION

Carol Moody recused herself from the proceedings as she works in a clinical facility in this geographical area. A quorum was still present.

ITT TECHNICAL INSTITUTE  
GREENVILLE –FEASIBILITY  
STUDY - ESTABLISHING A  
PROPOSED RN PROGRAM

At its February 21, 2012 meeting, the Advisory Committee on Nursing (ACON) recommended the Current Feasibility Study be forwarded to the Board to include additional clarification regarding the following: more information concerning the plans for clinical experiences (e.g. to also include the information discussed at the ACON regarding out-of-state and one hour away clinical experiences to include plans for supervision of the students, plans for faculty/ student notification of these experiences, plans for experiences/ how paid, etc.), a plan with a specific timeline for attaining qualified faculty as specified in the regulations, clarification of the nurse administrator position description academic qualification of a minimum of a master's (or higher) degree in nursing and a clinical instructor adjunct position description.

Melissa Black, Interim Chair, Breckinridge School of Nursing and Anthony Berrios, ITT Technical Institute appeared before the board to respond to questions.

Discussion included though was not limited to potential clinical sites, letters of support, clinical contracts, available clinical experiences, number of students, faculty plans and position descriptions.

A motion was made by Lisa Irvin to enter executive session for legal advice. Anne Crook seconded the motion. The motion carried unanimously.

MOTION

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

MOTION

A motion was made by Lisa Irvin to deny the proposal at this time given the lack of evidence of sufficient number of appropriate clinical sites in letters of support and signed contracts. Tara Hulseley seconded the motion. The motion carried with the recusal of Carol Moody.

MOTION

At its February 21, 2012 meeting, the Advisory Committee on Nursing (ACON) recommended the Board approve the proposed enhanced registered and licensed practical nurse refresher courses as presented.

GREENVILLE TECHNICAL  
COLLEGE– ENHANCED RN  
AND LPN REFRESHER  
COURSES

Abby Fass appeared before the board to respond to questions.

A motion was made by Anne Crook approve the courses as presented. Tara Hulseley seconded the motion. The motion carried unanimously.

MOTION

At its February 21, 2012 meeting, the Advisory Committee on Nursing (ACON) discussed options for increasing BSN preparation within the next ten years.

ACON REPORT–IOM/ ACON  
OPTIONS FOR INCREASING  
BSN PREPARATION WITHIN  
THE NEXT 10 YEARS

Vicki Green appeared before the board to present the ACON report and to respond to questions. Discussion included though was not limited to the IOM report, admissions to BSN programs and programs partnering to facilitate articulation, the number of BSN and ADN programs, magnet requirements for BSN prepared staff and not planning for legislation at this time.

The Board discussed returning this item to the ACON and requesting that the educators, professional nurses, SCHA, etc. propose incentives, plans for partnerships, bridge plans, etc.

Carol Moody recused from the proceedings as she works in a clinical facility in this geographical area. A quorum was still present.

At its February 21, 2012 meeting, the Advisory Committee on Nursing (ACON) was not able to arrange for nurse educators for the proposed Brown Mackie College – Greenville Campus RN Program site survey. A site team is needed to organize and conduct the on-site visit for this proposed program. Lane J. Goodwin, South Carolina Commission on High Education (CHE) will be accompanying the Board site team as an ex-officio member. Nancy Murphy relayed that Christy Cimineri, RN, MSN, CNE, Academic Chair, Nursing, EMT and Surgical Technology, Horry Georgetown Technology College has since volunteered to serve as a team member. Ms. Murphy is requesting the Board approve the site team members to be Christi Cimineri, Lane Goodwin and Nancy Murphy.

A motion was made by Tara Hulseley to approve the site team as presented. Amanda Baker seconded the motion. The motion carried with the recusal of Carol Moody.

Peter Hyman, MD, Occupational Health, McLeod Health appeared before the Board regarding a request to be allowed to supervise four advanced practice registered nurse practitioners (APRN). The APRNs practice within a 20 mile radius of Dr. Hyman.

Discussion included though was not limited to number of patients seen, practice locations, scheduling and duties.

A motion was made by Anne Crook to approve the request as presented with the consideration that no more than three be scheduled to work at one time. Carol Moody seconded the motion. The motion carried unanimously.

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.”)

Norma Cano, NP-C requested Dr. Hinoti Parab be allowed to supervise her practice. Dr. Parab is located approximately 80-103 miles away from the APRN.

BROWN MACKIE COLLEGE  
GREENVILLE SELF-  
EVALUATION REPORT -  
ESTABLISHING A PROPOSED  
RN PROGRAM –

SITE TEAM SELECTION

MOTION

REQUEST TO SUPERVISE  
MORE THAN 3 APRN –  
MCLEOD HEALTH

MOTION

REQUEST FOR WAIVER OF  
MILEAGE RESTRICTION  
APRN SUPERVISION– NORMA  
CANO

Ms. Cano contacted board staff to request canceling of the appearance.

Grant Gillespie, Esq., Senior Legal Counsel, CVS Minute Clinics appeared to request that the physicians of Minute Clinic be allowed to supervise more than three Advanced Practice Registered Nurses (APRNs)/ to request a waiver pursuant to SC Code Section 40-33-34(C)(2). Several staff from the clinics were present to speak as well.

REQUEST TO SUPERVISE  
MORE THAN 3 APRN-MINUTE  
CLINIC

Discussion included though was not limited to operation sites, physicians available, APRNs supervised by physicians in their private practice locations, alternate supervision, APRN duties, operation scheduling and mileage radius.

A motion was made by Lisa Irvin to enter executive session for legal advice. Amanda Baker seconded the motion. The motion carried unanimously.

MOTION

A motion was made to leave executive session. The motion was seconded. The motion carried unanimously. No official actions were taken during executive session.

MOTION

A motion was made by Carol Moody to accept Minute Clinic's request for the APRN/ physician ratio to supervise up to six APRNs with the stipulation that they cannot supervise more than three at one time regardless of circumstances (to include any APRNs physicians supervise outside of their relationship with Minute Clinic). All covering physicians need to be within a 45 mile radius (per the Nurse Practice Act). Minute Clinic will submit schedules on a quarterly basis for Board review, provide a list of the APRNs each physician sponsors (internal and external to Minute Clinic), and report any deviations to the Board Administrator. Tara Hulseley seconded the motion. The motion carried unanimously.

MOTION

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.”)

The Recovering Professional Program (RPP) received a request to allow nurse K.P. currently in the program to be allowed to take Vyvanse (lisdexamfetamine dimesylate) for Attention Deficit Hyperactivity Disorder (ADHD) while practicing nursing. Dr. James Graham, the RPP medical consultant, has discussed the prescribed drug regimen and available option with her physician. Both doctors agree that the current medication is appropriate in this patient's case. Dr. Timothy Kowalski also has discussed this case with staff and agrees with the conclusion reached by Dr. Graham. According, Dr. Graham recommends that KP's request be approved without Board appearance.

RPP - REQUEST FOR  
PERMISSION TO  
PRACTICE WHILE USING  
MOOD-ALTERING  
SUBSTANCES PROCESS

A motion was made by Carol Moody to approve the request as presented. Lisa Irvin seconded the motion. The motion carried unanimously.

MOTION

Samuel McNutt relayed that at the February Board of Medical Examiners meeting, it was recommended that a committee of representatives from the Board of Nursing and the Board of Medical Examiners meet regarding the White Paper on Advanced Practice Registered Nurses. Mr. McNutt relayed that he has contacted the Board of Medical Examiners President, Dr. Kosta, and is awaiting further communications regarding meeting specifics.

PRESIDENT'S REPORT-  
BOARDS OF NURSING AND  
MEDICAL EXAMINERS  
COMMITTEE – WHITE PAPER  
ON ADVANCED PRACTICE  
REGISTERED NURSES

The Board discussed that a legislative committee was not needed at this time.

PRESIDENT'S REPORT-  
LEGISLATIVE COMMITTEE

Samuel McNutt shared information from the National Council of State Boards of Nursing (NCSBN) March meeting. Discussion included though was not limited to Board strategic planning, the licensed practical nurse role, state/ compact/ national licensure models, future nursing program accreditation requirement planning for the education model rules and interview statement analysis.

PRESIDENT'S REPORT-  
NATIONAL COUNCIL OF STATE  
BOARDS OF NURSING  
(NCSBN) MID-YEAR MEETING

Mr. McNutt suggested that Board members check to see who would be available to attend the NCSBN Annual/ Delegate Assembly meeting in August.

The members discussed appointing Amanda Baker, Carol Moody and Tara Hulseley as a subcommittee to review The State Board of Nursing for South Carolina Bylaws and presenting recommendations at the next meeting.

PRESIDENT'S REPORT-  
BOARD OF NURSING BYLAWS

Legal counsel has recommended the Board of Nursing retract its positions on the Advisory Opinion #54 (APRNs conducting assessments) and Advisory Opinion #58 (Tee Probe) pending further deliberation on the two matters.

ADVISORY OPINIONS #54  
(APRN ASSESSMENT) AND  
#58 (TEE PROBE)

A motion was made by Amanda Baker to enter executive session for legal advice. Carol Moody seconded the motion. The motion carried unanimously.

MOTION

A motion was made to leave executive session. The motion was seconded. The motion carried unanimously. No official actions were taken during executive session.

MOTION

A motion was made by Amanda Baker to retract the two advisory opinions as recommended for further review. Carol Moody seconded the motion. The motion carried unanimously.

MOTION

At its February 3, 2012 meeting, the Advanced Practice Committee (APC) reviewed the application for Wendy Langston Kaczmarek to serve as one of the Certified Registered Nurse Anesthetists on APC and recommended Board Approval. A copy of the application and attachments were provided to the Board for review.

CRNA APPLICATION FOR  
ADVANCED PRACTICE  
COMMITTEE

A motion was made by Amanda Baker to accept Wendy Langston Kaczmarek as a candidate for the Advanced Practice Committee (APC) and request that she appear before the Board at the next meeting. Tara Hulseley seconded the motion. The motion carried unanimously.

MOTION

The Board discussed scheduling committee nominations for appearance before the Board in the future as a part of the approval process.

At its January 12, 2012 meeting, the Nursing Practice and Standards Committee (NPSC) recommended the Board approve proposed Advisory Opinion #59 – Is it within the role and scope of the Registered Nurse (RN) to utilize ultrasound guidance and assistance for peripheral IV catheter placement?

PROPOSED ADVISORY  
OPINION #59 ULTRASOUND  
GUIDANCE OF PERIPHERAL  
IV CATHETER  
PLACEMENT

A motion was made by Lisa Irvin to accept the Advisory Opinion #59 as presented. Carol Moody seconded the motion. The motion carried unanimously.

MOTION

At its January 12, 2012 meeting, the Nursing Practice and Standards Committee (NPSC) recommended the Board approve proposed revisions to the Advisory Opinion Supplement on the Nursing Management of Invasive Devices – Cardiovascular for Registered Nurses and Licensed Practical Nurses as presented.

ADVISORY OPINION  
SUPPLEMENT ON THE  
NURSING MANAGEMENT OF  
INVASIVE DEVICES –  
CARDIOVASCULAR RN & LPN  
PROPOSED REVISIONS  
MOTION

A motion was made by Lisa Irving to request that a Nursing Practice and Standards Committee representative appear before the Board to discuss the recommended changes in more detail. Carol Moody seconded the motion. The motion carried unanimously.

At its January 12, 2012 meeting, the Nursing Practice and Standards Committee (NPSC) recommended the Board approve proposed revisions to the Position Statement on Patient Abandonment as presented.

POSITION STATEMENT  
PATIENT ABANDONMENT  
PROPOSED REVISIONS

A motion was made by Lisa Irvin to accept the position statement as presented. Tara Hulseley seconded the motion. The motion carried unanimously.

MOTION

At its January 12, 2012 meeting, the Nursing Practice and Standards Committee (NPSC) recommended the Board approve the proposed Nursing Scope of Practice Opinion Request Form as presented.

PROPOSED NURSING SCOPE  
OF PRACTICE OPINION  
REQUEST FORM

A motion was made by Tara Hulseley to accept the form as presented. Carol Moody seconded the motion. The motion carried unanimously.

MOTION

Nancy Murphy relayed that the Board has a list for referrals for psychiatric evaluations compiled in collaboration with the Board of Medical Examiners and also requested that the applicant/ licensee may request approval for a particular practitioner on a case-by-case basis. The Board President may act on behalf of the Board regarding approval in these matters.

REFERRAL FOR  
PSYCHIATRIC EVALUATION

A motion was made by Anne Crook to accept as presented. Lisa Irvin seconded the motion. The motion carried unanimously.

MOTION

The Board discussed terminology when requiring evaluations by mental

health professionals to include psychiatrist and psychologist referrals.

A motion was made by Lisa Irvin to also compile a list in collaboration with the Psychology Board for referrals. Tara Hulseley seconded the motion. The motion carried unanimously.

MOTION

A request was made for Rosemarie Timmons to serve on the Investigative Review Committee (IRC). The Board reviewed Ms. Timmons' curriculum vitae.

APPROVAL OF IRC MEMBER

A motion was made by Lisa Irvin to approve Rosemarie Timmons as a candidate to serve on the Investigative Review Committee (IRC), however, with the request that she appear before the Board at the next meeting. Tara Hulseley seconded the motion. The motion carried unanimously.

MOTION

Ms. Murphy reminded Board members that Statement of Economic Interests are due by April 15, 2012 and that late filing or failure to file could result in penalties starting at \$100 if the form is not received by the deadline. Online filing can be accomplished at <http://ethics.sc.gov>.

2012 STATEMENT OF  
ECONOMIC INTERESTS

The Board reviewed possible revisions to the Disciplinary Sanction Guidelines Charts to include but not limited to: civil penalty amounts, narcotic restrictions, cost of investigation, probation terms (beginning date- date of order vs. beginning work, parameters, etc), educational classes as well as the categories and violations listed.

DISCIPLINARY SANCTIONS  
GUIDELINES CHART

A motion was made by Lisa Irvin to amend the guidelines regarding misdemeanor and moral turpitude convictions to include a fine of 0-\$500 and no action to Board appearance for both to allow more discretion within the guidelines. The motion was seconded and carried unanimously.

MOTION

A motion was made by Carol Moody to develop a committee that would work directly with LLR staff in the review of the Disciplinary Sanctions Guidelines Chart. The motion was seconded and carried unanimously.

MOTION

The committee members appointed included Carol Moody, Tara Hulseley and James Mallory along with Lynne Rogers, Mark Sanders and Nancy Murphy.

Respondents appeared before the Board to request modifications to their consent agreements or Board orders. The Board reviewed memoranda of agreement stipulating to violations of the Nurse Practice Act to determine disciplinary actions.

HEARINGS/APPEARANCES

The Board also reviewed licensure applications with "yes" responses to questions regarding criminal convictions.

In Case # 2011-244, Respondent signed a memorandum of agreement and waived the right to a panel hearing. Respondent was represented by Jake Kennedy, Esquire.

A motion was made by Carol Moody to enter executive session for legal advice. Lisa Irvin seconded the motion. The motion carried unanimously.

MOTION

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

MOTION

A motion was made by Lisa Irvin to deny the request to modify the terms of the last order continuing probation. Respondent is to continue RPP participation. The motion was seconded. The motion carried unanimously.

MOTION

Anne Crook recused herself from the proceedings. A quorum was still present.

In Case # 2006-335, Respondent requested to modify an existing consent agreement by terminating the suspension and by relicensing Respondent. Respondent was represented by Joseph McCullough, Jr., Esquire.

A motion was made by James Mallory to enter executive session for legal advice. Lisa Irvin seconded the motion. The motion carried unanimously.

MOTION

A motion was made by Lisa Irvin 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 Amanda Baker that may reinstate the license with completion of a refresher course. Tara Hulseley seconded the motion. The motion carried with the recusal of Anne Crook.

MOTION

In Case # 2009-283, Respondent requested to modify an existing consent agreement by removing the narcotics restriction due to hardship and difficulty obtaining employment. 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 enter executive session for legal advice. Lisa Irvin seconded the motion. The motion carried unanimously.

MOTION

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

MOTION

A motion was made by Lisa Irvin to deny the request to lift the order currently in place. Carol Moody seconded the motion. The motion carried unanimously.

MOTION

In Case # 2010-497, Respondent requested the Board review and amend the requirement to pay a \$1,250 civil penalty in an existing 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 Anne Crook to amend the financial obligation to \$750. The motion was seconded and carried unanimously.

MOTION

In Case # 2009-185, Respondent requested to modify an existing consent agreement by releasing him/her from probation/ narcotics restriction. 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 Lisa Irving to grant the request as it relates to the narcotics restriction with the stipulation that respondent continue participation in RPP. Carol Moody seconded the motion. The motion carried unanimously.

MOTION

Carol Moody recused herself from the proceedings. A quorum was present at all times.

In Case # 2010-214, Respondent requested to modify an existing consent agreement by requesting probation be retroactive from the last offense in May 2010. 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 enter executive session for legal advice. Lisa Irvin seconded the motion. The motion carried unanimously.

MOTION

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

MOTION

A motion was made by Lisa Irvin to deny the request to modify the conditions of the consent agreement. Anne Crook seconded the motion. The motion carried with the recusal of Carol Moody.

MOTION

In Case # 2009-355, Respondent requested to modify an existing consent agreement by requesting to modify the terms of the last order continuing probation. 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 Carol Moody to enter executive session for legal advice. The motion was seconded by Tara Hulseley and carried unanimously.

MOTION

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

MOTION

A motion was made by Carol Moody lift the narcotics restriction and continue all other conditions of the order. The motion was seconded. The motion carried unanimously.

MOTION

A motion was made to adjourn the meeting on March 29, 2012 at 3:39 p.m. The motion was seconded. The motion carried unanimously.

MOTION TO ADJOURN

**Friday, March 30, 2012**

An applicant for licensure as a practical nurse by examination appeared before the Board to respond to questions a regarding his/her "yes" responses to questions regarding criminal convictions. Applicant was aware of his/her right to legal counsel and waived that right.

A motion was made by Anne Crook to grant the applicant authorization for licensure. Amanda Baker seconded the motion. The motion carried unanimously.

MOTION

An applicant for licensure as a registered nurse by endorsement appeared before the Board to respond to questions a regarding his/her "yes" responses to questions regarding criminal convictions. Applicant was aware of his/her right to legal counsel and waived that right.

A motion was made by Lisa Irvin to allow endorsement. Tara Hulsey seconded the motion. The motion carried unanimously.

MOTION

In Case # 2011-214, Respondent signed a memorandum of agreement and waived the right to a panel hearing. Respondent was represented by Raymond Fischer, Esquire.

A motion was made by Lisa Irvin to enter executive session for legal advice. Tara Hulsey seconded the motion. The motion carried unanimously.

MOTION

A motion was made to leave executive session. The motion was seconded. The motion carried unanimously. No official actions were taken during executive session.

MOTION

A motion was made by Amanda Baker to accept the MOA including the public reprimand, the legal aspects course and the civil penalty. Tara Hulsey seconded the motion. The motion carried unanimously.

MOTION

Carol Moody recused herself from the proceedings. A quorum was present at all times.

In Case # 2011-2, Respondent requested to modify an existing consent agreement by amending the civil penalty and/or disciplinary actions. 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 Lisa Irvin to be given an additional 12 months from date of the consent agreement to pay the civil penalty and to take the refresher course. Amanda Baker seconded the motion. The motion carried with the recusal of Carol Moody.

MOTION

A motion was made by Anne Crook to adjourn the meeting at 11:51 p.m. on Friday, March 30, 2011. James Mallory seconded the motion. The motion carried unanimously.

MOTION TO ADJOURN

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