



South Carolina  
Department of Labor, Licensing and Regulation



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**Board of Nursing**

**MARCH 27-28, 2014 BOARD OF NURSING MEETING MINUTES**

<p>Board President Samuel McNutt called the Board of Nursing meeting to order at 8:39 a.m. on Thursday, March 27, 2014 and at 8:37 a.m. on Friday, March 28, 2014. 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, FAAN .....Present 3/27/14; Excused 3/28/14 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 .....Present Public Member</p> <p>James E. Mallory, EdD ..... Excused 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 Theresa Richardson, Program Coordinator I Kathryn Nedovic, Program Coordinator I Helen Brooks, Education Consultant Shannon Beaudry, Administrative Assistant Darra Coleman, Advice Counsel Sara McCartha, Advice Counsel Prentiss Shealey, Office of Disciplinary Counsel Princess Hodges, Office of Disciplinary Counsel</p>	<p><u>LLR STAFF</u> <u>PRESENT FOR</u> <u>CERTAIN ITEMS</u></p>
<p>James Mallory was excused from the March 27-28, 2014 meeting. Tara Hulsey was excused from the March 28, 2014 meeting.</p>	<p><u>EXCUSED ABSENCES</u></p>

<p>The March 27-28, 2014 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 March 27-28, 2014 Board of Nursing Meeting Regular Agenda as presented. Tara Hulseley 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 March 27-28, 2014 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 2013</li> <li>b) For Information: Schools with Deficient NCLEX Pass Rate for Test Year 2013</li> <li>c) For Acceptance: October 15, 2013 Advisory Committee on Nursing Meeting Minutes</li> <li>d) For Information: NCSBN Good Morning Members October 30, 2013</li> <li>e) For Information: NCSBN Examinations – NCLEX is Going Paperless</li> <li>f) For Information: Statement of Economic Interest</li> <li>g) For Information: AACN Press Release: New AACN Data on Employment for BSN Graduates</li> <li>h) For Information: NCSBN Raises the Passing Standard for the NCLEX-PN Examination</li> <li>i) For Information: 6 Regulatory and Procedural Hurdles for Multistate Telemedicine</li> <li>j) For Information: Amended NLC Rule 30/90 Days State by State Implementation Table</li> <li>k) For Information: Forbes Article – Top Health Trend For 2014: Telehealth To Grow Over 50%. What Role for Regulation?</li> <li>l) For Information: Propublica Series on Medicare Prescribing</li> <li>m) For Information: CMS Fact Sheet: CMS Strategy to Combat Medicare Part D Prescription Drug Fraud and Abuse</li> <li>n) For Information: NCSBN Good Morning Members January 8, 2014</li> <li>o) For Information: NCSBN 2013-2014 Environmental Scan</li> <li>p) For Information: Nurse Licensure Compact Administrators (NLCA) Review of 2012-2013</li> <li>q) For Information: CTel Regarding Nurse Licensure Compact January 8, 2014</li> <li>r) For Information: NCSBN Good Morning Members January 10, 2014</li> <li>s) For Information: NCSBN Good Morning Members January 15, 2014</li> <li>t) For Information: NCSBN Good Morning Members</li> </ul>	<p><u>APPROVAL OF CONSENT AGENDA</u></p>

<p>January 17, 2014</p> <ul style="list-style-type: none"> <li>u) For Information: Politicians Urged to Support and Develop Nursing</li> <li>v) For Information: NCSBN Good Morning Members January 22, 2014</li> <li>w) For Information: NCSBN Good Morning Members January 29, 2014</li> <li>x) For Information: Florida Telemedicine Legislation with Provision for Compacts</li> <li>y) For Information: NCSBN Good Morning Members January 31, 2014</li> <li>z) For Information: NCSBN Good Morning Members February 12, 2014</li> <li>aa) For Information: NCSBN Good Morning Members February 21, 2014</li> <li>bb) For Information: NCSBN Good Morning Members February 26, 2014</li> <li>cc) For Information: NCSBN ANSI Accreditation as a Standards Development Organization</li> <li>dd) For Information: NCSBN Good Morning Members February 28, 2014</li> <li>ee) For Information: Budget (on table)</li> </ul> <p>A motion was made by Kay Swisher to approve the Consent Agenda as presented. Karen Hazzard seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>The November 21-22, 2013 Board Meeting minutes were presented for the Board's review and approval.</p> <p>A motion was made by Amanda Baker to approve the November 21-22, 2013 meeting minutes as presented. Tara Hulseley seconded the motion. The motion carried unanimously.</p>	<p><u>APPROVAL OF MINUTES</u></p> <p style="text-align: right;"><u>MOTION</u></p>
<p>At its December 3, 2013 meeting, the ACON voted to recommend the Board approve the York Technical College plans for the Chester Campus PN program location change.</p> <p>Sharlene Plyler, Nursing Department Chair and Linda Weaver-Griggs, Associate Vice President, Health and Human Services Department, York Technical College appeared before the Board to present their plans for the PN program location change.</p> <p>Discussion included but was not limited to the current location of the PN program in a high school setting, the new facility containing adequate space and new technology for the program and no changes occurring to the program itself.</p> <p>A motion was made by Tara Hulseley to approve the York Technical College Chester Campus PN program location change. Anne Crook seconded the motion. The motion carried unanimously.</p>	<p><u>YORK TECHNICAL COLLEGE –PLANS FOR CHESTER CAMPUS PN PROGRAM LOCATION CHANGE</u></p> <p style="text-align: right;"><u>MOTION</u></p>
<p>At its December 3, 2013 meeting, the ACON voted to recommend the Board approve the Horry Georgetown Technical College request for an accelerated Registered Nursing program option as presented.</p> <p>Karen Hazzard recused herself from the proceedings. A quorum was still present.</p>	<p><u>HORRY GEORGETOWN TECHNICAL COLLEGE – REQUEST FOR ACCELERATED</u></p>

<p>Christy Cimineri, Associate Vice President, Nursing and Allied Health, Horry-Georgetown Technical College appeared before the Board to present the request for an accelerated Registered Nursing program option.</p> <p>Discussion included but was not limited to requirements for admission into the accelerated program, financial aid, no planned changes for the curriculum, the number of students in the program not increasing and transition of students from RN to BSN programs.</p> <p>A motion was made by Anne Crook to approve Horry-Georgetown Technical College's request for an accelerated Registered Nursing program option. Tara Hulsey seconded the motion. The motion carried with the recusal of Karen Hazzard.</p>	<p style="text-align: right;"><u>REGISTERED NURSING PROGRAM OPTION</u></p> <p style="text-align: right;"><u>MOTION</u></p>
<p>At its February 19, 2013 meeting, the 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/facilities (to include census/experience availability) to be utilized and provide supporting documentation</li> <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>At its March 28, 2013 meeting, the Board of Nursing voted 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.</p> <p>At the December 3, 2013 ACON meeting, ITT Institute Columbia presented their revised Feasibility Study. The ACON voted to forward the ITT Technical Institute Columbia – Current Feasibility Study for Establishing a Proposed Registered Nursing Program to the Board.</p> <p>Julie Hamilton, Interim Chair, Breckinridge School of Nursing, Ron Hamm, President, Breckinridge School of Nursing and Andrea Brisbin, Attorney/ Legal</p>	<p style="text-align: right;"><u>ITT TECHNICAL INSTITUTE COLUMBIA</u></p>

<p>Counsel, ITT Technical Institute Columbia appeared before the Board to present their Current Feasibility Study For Establishing a Proposed Registered Nursing Program and to respond to questions.</p> <p>Discussion included but was not limited to reduction of the number of students ITT Technical Institute Columbia will enroll per quarter, ITT Technical Institute financial resources, adequacy of clinical facilities/ diversity of experiences, student travel to distant clinical sites, use of simulation, and efforts to transition ADN students to BSN programs.</p> <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. Karen Hazzard seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p> <p>A motion was made by Amanda Baker to approve ITT Technical Institute Columbia for establishing/ developing a registered nursing program. The Board of Nursing will require the submission of a progress report and a Board appearance prior to the first students entering into clinical settings. This progress report shall include but not be limited to information identifying student placement in clinical settings with specificity, contracts from all clinical sites, and a current faculty roster. Karen Hazzard seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p>
<p>Sylvia Singleton, Corporate Compliance Officer and Allison Burwin, Regional Director of Operations, Caris Healthcare appeared before the Board to present their request for a waiver of the 45-mile restriction on physician supervision for APRN Cathy Mulloy.</p> <p>Discussion included but was not limited to the counties the APRN would be covering with Caris Healthcare, the hospice duties the APRN would be performing and the distance between the APRN and physicians possibly being up to 70 miles.</p> <p>A motion was made by Anne Crook to approve the request for the mileage waiver for APRN Cathy Mulloy for Caris Healthcare. 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</u> <u>OF MILEAGE</u> <u>RESTRICTION – CARIS</u> <u>HEALTHCARE</u></p> <p><u>MOTION</u></p>

	<u>HEARINGS/APPEARANCES</u>
<p>The Board reviewed a panel hearing recommendation, reinstatement and endorsement applications with matters of unlicensed practice and a disciplined reinstatement application.</p>	
<p>In Case # 2012-116; 2014-109, a panel hearing was held on January 15, 2014. The panel hearing recommendations were presented to the Board for review and consideration. Respondent also requested a modification to his/her Consent Agreement. Respondent did not appear and was not represented by legal counsel.</p>	
<p>A motion was made by Anne Crook to approve the recommendation to withdraw Respondent's modification request in light of the fact that he/she was not present. Karen Hazzard seconded the motion. The motion carried unanimously.</p>	<u>MOTION</u>
<p>In Case # 2012-116; 2014-109, a motion was made by Amanda Baker to approve the panel hearing recommendations as presented. Tara Hulsey seconded the motion. The motion carried unanimously.</p>	<u>MOTION</u>
<p>An applicant for licensure as a registered nurse by disciplined reinstatement appeared before the Board to respond to questions 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 reinstate applicant's license. Anne Crook seconded the motion. The motion carried unanimously.</p>	<u>MOTION</u>
<p>An amended motion was made by Carol Moody to reinstate applicant's license with the stipulation of continued compliance with RPP. Amanda Baker seconded the motion. The motion carried unanimously.</p>	<u>MOTION</u>
<p>An applicant for licensure as a licensed practical nurse by reinstatement appeared before the Board regarding matters of unlicensed practice. 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 and impose the following sanctions: a \$1,000 civil penalty. Tara Hulsey seconded the motion. The motion carried unanimously.</p>	<u>MOTION</u>
<p>A motion was made by Tara Hulsey to reinstate the license effective immediately, to allow six months to pay the \$1,000 civil penalty, and to issue a private reprimand. Karen Hazzard seconded the motion. The motion carried unanimously.</p>	<u>MOTION</u>
<p>An applicant for licensure as a licensed practical nurse by reinstatement appeared before the Board regarding matters of unlicensed practice. 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. Karen Hazzard seconded the motion. The motion carried unanimously.</p>	<u>MOTION</u>
<p>A motion was made by Anne Crook to leave executive session. Tara Hulsey 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 Kay Swisher to reinstate the license with the following stipulations: a private reprimand and a \$400 civil penalty payable within six months. Tara Hulseley seconded the motion. The motion carried unanimously.</p> <p>An applicant for licensure as a registered nurse by endorsement appeared before the Board regarding matters of unlicensed practice. 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>Carol Moody recused herself from the proceedings. A quorum was still present.</p> <p>A motion was made by Anne Crook to reinstate the license with the following stipulations: a private reprimand and a \$400 civil penalty payable within six months. Tara Hulseley seconded the motion. The motion carried with the recusal of Carol Moody.</p>	<p><u>MOTION</u></p> <p><u>MOTION</u></p>
<p>Representatives from the Office of Investigations and Enforcement (OIE), Office of Disciplinary Counsel (ODC), and Office of Advice Counsel presented information regarding the complaint process.</p> <p>Discussion included but was not limited to how initial complaints are reviewed and assigned, how drug-related cases are investigated, Investigative Review Committee (IRC) processes, ODC processes, panel hearing procedures, civil penalty amounts, possible ODC prosecutorial discretion allowances, Temporary Suspension Orders, Administrative Suspensions and executive session processes.</p> <p>A motion was made by Anne Crook to give ODC attorneys discretion to adjust civil penalties by up to 25%. Carol Moody seconded the motion. The motion carried with one nay vote.</p> <p>A motion was made by Anne Crook that the IRC also set parameters for the exercise of discretion prior to submitting a case to ODC. Amanda Baker seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Anne Crook to give the IRC the authority to charge civil penalties for no more than two violations. In cases where there are more than two violations, the IRC would select the two most serious violations. Tara Hulseley seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Carol Moody to accept the recommendation that when cases go to the ODC attorneys to prosecute that they feel are not substantiated, that they are given the authority to dismiss the case based on their legal opinion. Kay Swisher seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Anne Crook to authorize Board staff and the ODC to review matters presented to staff via an RPP notice of noncompliance for subsequent evaluation by ODC. Upon review by ODC, the matter either could be treated as a Temporary Suspension Order, which would result in personal service, or identified as appropriate for service in person by members of OIE as an Administrative Suspension with a simultaneously-initiated complaint. Carol Moody seconded the motion. The motion carried unanimously.</p>	<p><u>COMPLAINT PROCESS PRESENTATION</u></p> <p><u>DISCUSSION – EXECUTIVE SESSION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p>

<p>A motion was made by Anne Crook that Temporary Suspension Orders and Administrative Suspension Orders both have a private and public component when limited to those areas that are not purely administrative in nature. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>A motion was made by Anne Crook that if a person appeals an Administrative Suspension, the process would be for the appeal to go before a hearing officer for a decision. Tara Hulseley seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>A motion was made by Karen Hazzard to delegate authority to OIE and Board staff to review cases and present information to ODC to formulate a Consent Agreement for straight-forward drug diversion cases and out-of-state conduct cases to present to the Board president for review and present to the full Board as a quarterly report in order to expedite the process. Amanda Baker seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>A motion was made by Anne Crook that the period of probation begins when a person is employed and to require full quarterly reports before a person comes off of probation. Amanda Baker seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>An amended motion was made by Anne Crook that a person will remain on probation until quarterly reports are completed. Amanda Baker seconded the motion. The motion carried with two abstentions.</p>	<p><u>MOTION</u></p>
<p>A motion was made by Carol Moody to go into executive session for the purpose of receiving legal counsel with representatives from ODC, OIE, and Board staff to remain in session. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>A motion was made by Anne Crook to leave executive session. Tara Hulseley seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p>	<p><u>MOTION</u></p>
<p>The Board went into closed session for this item.</p>	<p><u>OFFICE OF INVESTIGATIONS AND ENFORCEMENT (OIE)</u> <u>(CLOSED SESSION)</u></p>
<p>Prentiss Shealey presented a request on behalf of Rick Wilson, RPP, regarding whether nurses that are practicing under a privilege to practice in South Carolina under the Compact may participate in the RPP program.</p>	<p><u>COMPACT NURSES IN RPP</u> <u>(EXECUTIVE SESSION)</u></p>
<p>A motion was made by Carol Moody that nurses that are working in the state of South Carolina under a Compact license have the opportunity to participate in RPP within the state of South Carolina. Tara Hulseley seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></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 a recommendation from a panel hearing.

HEARINGS/APPEARANCES

In Case # 2012-47, Respondent signed a Memorandum of Agreement (MOA) and waived the right to a panel hearing. Respondent was represented by Robert Goings, Esq.

In Case # 2012-47, a motion was made by Anne Crook to accept the Memorandum of Agreement and place no sanctions on the license. Amanda Baker seconded the motion. The motion carried unanimously.

MOTION

In Case # 2013-194, Respondent signed a Memorandum of Agreement (MOA) and waived the right to a panel hearing. Respondent was represented by John Meadors, Esq.

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 Tara Hulseley to leave executive session. Karen Hazzard seconded the motion. The motion carried unanimously. No official actions were taken during executive session.

MOTION

In Case # 2013-194, a motion was made by Amanda Baker to accept the Memorandum of Agreement with the following stipulations: a private reprimand, suspension with stay, probation for two years, narcotics restriction, required worksite approval, a \$500 civil penalty payable within six months, the completion of an Ethics course within six months, and continued compliance with RPP.

MOTION

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.

MOTION

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.

MOTION

In Case # 2013-194, an amended motion was made by Amanda Baker to accept the Memorandum of Agreement with the following stipulations: a public reprimand, suspension with stay, probation for two years, narcotics restriction, required worksite approval, a \$500 civil penalty payable within six months, the completion of an Ethics course within six months, and continued compliance with RPP. Carol Moody seconded the motion. The motion carried unanimously.

MOTION

In Case # 2013-142, 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.

Carol Moody recused herself from the proceedings. A quorum was still present.

In Case # 2013-142, Respondent did not agree to the stipulations of fact and

requested to go before a full panel hearing, the recommendations of which would come back to the Board as a final order.

In Case # 2013-175, 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.

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

MOTION

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.

MOTION

In Case # 2013-175, a motion was made by Tara Hulseley to accept the Memorandum of Agreement with the following stipulations: a public reprimand and indefinite suspension until Respondent is compliant with RPP, at which time Respondent may request an appearance before the Board. Kay Swisher seconded the motion. The motion carried unanimously.

MOTION

In Case # 2012-421, the hearing was continued.

In Case # 2013-455; 2010-431, 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 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 Karen Hazzard to leave executive session. Carol Moody seconded the motion. The motion carried unanimously. No official actions were taken during executive session.

MOTION

In Case # 2013-455; 2010-431, a motion was made by Tara Hulseley to forgive the Respondent's civil penalty and issue an order that Respondent's license is in good standing. Carol Moody seconded the motion. The motion carried unanimously.

MOTION

In Case # 2013-561; 2010-280, 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. Karen Hazzard seconded the motion. The motion carried unanimously.

MOTION

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.

MOTION

In Case # 2013-561; 2010-280, a motion was made by Tara Hulseley to change

MOTION

Respondent's reprimand to private with all other stipulations remaining the same. Karen Hazzard seconded the motion. The motion carried with one nay vote.

In Case # 2013-562; 2006-184, 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. 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

In Case # 2013-562; 2006-184, a motion was made by Amanda Baker to grant Respondent's request to deem all terms of the order satisfied and release Respondent from the terms of the prior order upon documentation of successful completion of a refresher course. Tara Hulseley seconded the motion. The motion carried unanimously.

MOTION

In Case # 2013-560; 2010-16, 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 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. Amanda Baker seconded the motion. The motion carried unanimously. No official actions were taken during executive session.

MOTION

In Case # 2013-560; 2010-16, a motion was made by Tara Hulseley to grant Respondent's request to lift the worksite restrictions and quarterly reports, but Respondent must still pay civil penalty and complete an Ethics course within six months and continue compliance with RPP. Carol Moody seconded the motion. The motion carried unanimously.

MOTION

In Case # 2011-6, a panel hearing was held on September 17, 2013. 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 did not appear and was not represented by legal counsel.

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

MOTION

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

MOTION

In Case # 2011-6, a motion was made by Tara Hulseley to accept the panel hearing

MOTION

<p>recommendations as presented. Kay Swisher seconded the motion. The motion carried unanimously.</p>	
<p>A motion was made by Kay Swisher to go into executive session for the purpose of receiving legal counsel with Nancy Murphy and Theresa Richardson in session. Karen Hazzard seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Amanda Baker to leave executive session. Kay Swisher seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p> <p>A motion was made by Kay Swisher to authorize staff, including legal counsel, to take the following action items regarding CNS licensees or professionals who are utilizing the CNS designation. First, the agency shall issue Cease and Desist letters to those using the CNS title who do not meet the statutory requirements for CNS designation. Two, the agency shall draft an advisory opinion for the Board of Nursing's consideration, setting forth the legal requirements for the CNS designation, as well as addressing the Consensus Model requirements which will come in to play in 2015. Three, the Board directs staff and legal counsel to collaborate with the South Carolina Hospital Association to develop an action plan regarding the resolution of issues created by the issuance of the Cease and Desist and advisory opinion. Fourth, the Board authorizes staff to issue a mass email to all licensees which shall be subject to the president's approval prior to distribution, advising of the legal requirements for the CNS designation. Finally, the Board authorizes the removal of the CNS designation from the RN application online. Amanda Baker seconded the motion. The motion carried unanimously.</p>	<p style="text-align: center;"><u>ADMINISTRATOR'S REPORT – LEGAL ADVICE REGARDING CREDENTIALING (EXECUTIVE SESSION)</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 Carol Moody to adjourn the meeting on March 27, 2014 at 6:23 p.m. Karen Hazzard seconded the motion. The motion carried unanimously.</p>	<p style="text-align: right;"><u>MOTION TO ADJOURN</u></p>
<p><b>Friday, March 28, 2014</b></p> <p>Samuel McNutt informed the Board that Governor Haley approved a task force related to prescription drug abuse and that the first meeting of the task force will be held on April 10th. Mr. McNutt will serve as the SC Board of Nursing representative.</p> <p>Information was presented to the Board regarding the NCSBN Midyear Meeting.</p> <p>Discussion included but was not limited to telehealth, borderless licensure and education, compact items, and Nurse Licensure Compact (NLC) fees.</p> <p>A motion was made by Anne Crook to approve paying \$6,000 to the NLC for the 2014 annual fee instead of \$3,000 to NLC and \$3,000 for NCSBN. Carol Moody seconded the motion. The motion carried unanimously.</p>	<p style="text-align: center;"><u>PRESIDENT'S REPORT – NCSBN MIDYEAR MEETING</u></p> <p style="text-align: right;"><u>MOTION</u></p>

Respondents appeared before the Board to request modifications to their Consent Agreements. The Board also reviewed Memoranda of Agreement stipulating to violations of the Nurse Practice Act to determine disciplinary actions. A Respondent also requested an expungement of a public order.

HEARINGS/APPEARANCES

In Case # 2011-343, Respondent signed a Memorandum of Agreement (MOA) and waived the right to a panel hearing. Respondent was represented by Travis Dayhuff, Esq.

In Case # 2011-343, a motion was made by Carol Moody to dismiss the case. Anne Crook seconded the motion. The motion carried unanimously.

MOTION

In Case # 2012-479, 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.

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 Karen Hazzard to leave executive session. Carol Moody seconded the motion. The motion carried unanimously. No official actions were taken during executive session.

MOTION

In Case # 2012-479, 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, one year probation, one year narcotics restriction, credit for one year of work upon receipt of successful report from employer, a \$500 civil penalty payable within six months, completion of Legal Aspects, Ethics, and Critical Thinking courses within six months, and continued compliance with RPP. Kay Swisher seconded the motion. The motion carried unanimously.

MOTION

In Case # 2013-138, 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.

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 # 2013-138, 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, one year probation, a \$500 civil penalty payable within six months, one year narcotic restriction, which begins after return to work, completion of Legal Aspects, Ethics, and Critical Thinking courses within six months, and an evaluation and continued compliance with RPP. Kay Swisher seconded the motion. The motion carried unanimously.

MOTION

In Case # 2012-408, 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.

MOTION

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

MOTION

In Case # 2012-408, a motion was made by Carol Moody to accept the Memorandum of Agreement with the following stipulations: a private reprimand and compliance with RPP. Amanda Baker seconded the motion. The motion carried unanimously.

Respondent from Case # 2012-116; 2014-109 held on Thursday, March 27, 2014 requested to come before the Board on Friday, March 28, 2014 for his/her modification request that was withdrawn due to Respondent not appearing the previous day. The Board allowed Respondent's request to come forward.

In Case # 2012-116; 2014-109, a motion was made by Anne Crook to grant Respondent's request to terminate his/her RPP contract as of March 28, 2014. Carol Moody seconded the motion. The motion carried unanimously.

MOTION

In Case # 2011-337, Respondent requested a modification to his/her 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.

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

MOTION

In Case # 2011-337, a motion was made by Kay Swisher to modify Respondent's Consent Agreement to allow for supervision by an MD, DO, or APRN. Carol Moody seconded the motion. The motion carried unanimously.

In Case # 2010-494, Respondent requested an expungement of a public Order of Suspension. Respondent did not appear but was represented by T. Micah Leddy, Esq.

MOTION

In Case # 2010-494, a motion was made by Carol Moody to approve the request to expunge the public order. Kay Swisher seconded the motion. The motion carried unanimously.

Information regarding tentative agenda items for the May Board meeting was presented to the Board.

ADMINISTRATOR'S  
REPORT – MAY BOARD  
MEETING SCHEDULING

Discussion included but was not limited to the number of cases that ODC will be bringing forward, the education items that will be coming in May, and prospective

<p>licensure appearances.</p> <p>The Board agreed to have a three-day meeting in July 2014 and hold an additional day on Wednesday to accommodate more hearings.</p>	
<p>IRC Public Member Glyne Sommer's CV was presented to the Board for their information.</p>	<p><u>ADMINISTRATOR'S REPORT – INVESTIGATIVE REVIEW COMMITTEE MEMBER</u></p>
<p>The Board was presented with the CVs of the following potential expert reviewers:</p> <ul style="list-style-type: none"> <li>• Stephanie Burgess - Family Nurse Practitioner</li> <li>• Angela Reeves – Family Nurse Practitioner</li> <li>• Patricia Smith – Certified Nurse Midwife</li> <li>• Faye LeBoeuf – Certified Nurse Midwife</li> <li>• Dawn Keller – Critical Care Clinical Nurse Specialist</li> </ul> <p>The Board voted to approve Stephanie Burgess, Angela Reeves, Patricia Smith, Faye LeBoeuf, and Dawn Keller as expert reviewers.</p>	<p><u>ADMINISTRATOR'S REPORT-EXPERT REVIEWERS</u></p> <p><u>MOTION</u></p>
<p>The Board of Medical Examiners has requested a joint meeting with the Board of Nursing regarding cosmetic procedures.</p> <p>Discussion included but was not limited to AO #39, the proposed meeting date of June 6th, possible representatives from the Board of Nursing and possible resources for the Board.</p> <p>Amanda Baker volunteered to serve as the representative for the Board of Nursing at the joint meeting; however, if she is unavailable, Anne Crook will serve as the representative.</p>	<p><u>ADMINISTRATOR'S REPORT-JOINT MEETING PROPOSAL – COSMETIC PROCEDURES</u></p>
<p>The Board was reminded that their Statements of Economic of Interest are due March 31, 2014.</p>	<p><u>ADMINISTRATOR'S REPORT – STATEMENT OF ECONOMIC INTEREST</u></p>
<p>Representatives from ODC and OIE requested approval from the Board for attending the National Association of Drug Diversion Investigators (NADDI) Conference.</p> <p>A motion was made by Carol Moody to approve travel to the NADDI conference for Princess Hodges, Prentiss Shealey, Mark Sanders, and representatives from OIE. Kay Swisher seconded the motion. The motion carried unanimously.</p>	<p><u>ADMINISTRATOR'S REPORT – APPROVAL OF TRAVEL FOR NADDI CONFERENCE</u></p> <p><u>MOTION</u></p>
<p>The Board reviewed applications with a "yes" response to questions regarding criminal history to include an application regarding charges on the criminal background check and failure to report these charges and an application regarding discipline by another Board of Nursing. Finally, the Board reviewed an application for a worksite approval.</p>	<p><u>HEARINGS/APPEARANCES</u></p>

<p>An applicant for licensure as a registered nurse by reinstatement did not appear and was not represented by legal counsel.</p> <p>A registered nurse appeared before the Board regarding his/her application for a worksite approval. 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 Anne Crook to approve the worksite and to accept a retroactive first quarter report. Amanda Baker seconded the motion. The motion carried unanimously.</p> <p>An applicant for licensure as a registered nurse by examination appeared before the Board regarding charges on the criminal background check and failure to report these charges. 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 Anne Crook to grant initial licensure. Amanda Baker 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 on the application regarding criminal history. 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 Anne Crook to grant the applicant a license. Carol Moody seconded the motion. The motion carried unanimously.</p> <p>An applicant for licensure as a licensed practical nurse by endorsement did not appear and was not represented by legal counsel.</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 Carol Moody to adjourn the March 28, 2014 meeting at 11:08 a.m. Anne Crook seconded the motion. The motion carried unanimously.</p>	<p style="text-align: right;"><u>MOTION TO ADJOURN</u></p>