



NOVEMBER 19-20, 2020 MEETING MINUTES

CALL TO ORDER, PLACE OF MEETING & FOIA COMPLIANCE:

Sallie Beth Todd, Chairperson of the South Carolina State Board of Nursing, called the September meeting to order at 10:00 a.m. on November 19, 2020. Public notice was properly posed at the Board offices, as well as on its website. A copy was provided to all requesting persons, organizations and news media agencies in compliance with the SC Freedom of Information Act. A quorum was present at all times.

Member	Representing		COMMITTEE MEMBERS PRESENT & VOTING
Kelli Garber, MSN, APRN, PPCNP-BC	1 st Congressional District	Present	
Rebecca Morrison, APRN, MSN, FNP-BC	2 nd Congressional District	Excused	
Kay Swisher, RN, MSN	3 rd Congressional District	Present	
Sallie Beth Todd, RN, MSN-Ed	Board of Nursing Chair 4 th Congressional District	Present	
Samuel McNutt, RN, CRNA, MHSA	Board of Nursing Vice- Chair 5 th Congressional District	Present	
Jonella Davis, MBA, BSN, RN, NEA-BC	7 th Congressional District	Present	
Neil B. Lipsitz	Board of Nursing Secretary Public Member	Present	
Robert D. Wolff, PhD	Public Member	Present	
Vacancy	6 th Congressional District	Vacant	
Vacancy	At-Large, LPN	Vacant	
Vacancy	At-Large, LPN	Vacant	

Carol Moody, Administrator, Board of Nursing	LLR STAFF PRESENT
Bob Horner, Advice Counsel for the Board of Nursing	
Christie Watson, Board of Nursing Program Assistant	
GINNA WEST, Board of Nursing Staff	
Mindy Carithers, Nurse Practice Consultant, Board of Nursing	
Peter Kubas, Nurse Education Consultant	
Jennifer O'Shields, Board of Nursing Administrative Coordinator	
Tina Brown, Assistant Disciplinary Counsel	
Gabe Coggiola, Assistant Disciplinary Counsel	
Princess Hodges, Assistant Disciplinary Counsel	
Prentiss Shealey, Assistant Disciplinary Counsel	
Rowland Alston, Assistant Disciplinary Counsel	
Megan Flannery, Assistant Disciplinary Counsel	
Mark Sanders, Chief Investigator, Office of Investigations and Enforcement	
Yvonne R. Thurston-Bohannon, Court Reporter	

EXCUSED ABSENCES:

Introduction of new Board member, Kelli Garber. Motion to excuse Rebecca Morrison. Motion carried.

APPROVAL OF AGENDA:

Motion to approve the Agenda. Motion carried.

CONSENT AGENDA:

Motion to approve the Consent Agenda. Motion carried.

OFFICE OF INVESTIGATIONS AND ENFORCEMENT:

Chief Investigator, Mark Sanders, presented the Investigative Review Committee Report for approval.

Motion to approve 23 Dismissals. Motion carried.

Motion to approve 43 Formal Complaints with the mandatory Board appearances as discussed. Motion carried.

Motion to approve 21 Letters of Caution. Motion carried.

Mr. Sanders presented the Statistical Report. No motion was made.

DISCIPLINARY HEARINGS:

Respondents appeared before the Board to determine disciplinary actions. Hearings are conducted in Closed Session to meet the statutory requirement that disciplinary actions remain confidential.

2017-289: Respondent appeared before the Board for a Final Order Hearing. The case was previously before the Hearing Panel. The Panel issued a Recommendation which was provided to the Board members for review. Motion to accept the Panel Hearing Recommendation. Motion carried.*

2018-501: Respondent appeared before the Board for a Final Order Hearing. The case was previously before the Hearing Panel. The Panel issued a Recommendation which was provided to the Board members for review. Motion to approve the Final Order Hearing Recommendation with Reinstatement. Motion carried.*

2018-623: Respondent appeared before the Board for a Final Order Hearing. The case was previously before the Hearing Panel. The Panel issued a Recommendation which was provided to the Board members for review. Motion to approve the Final Order Hearing Recommendation. Motion carried.

2012-169: Respondent appeared before the Board having submitted a request to modify a prior order of the Board. Motion to deny modification request to make the prior order private, but to approve the removal of work site approval with the remainder of the prior order to be in place. Motion carried.*

2019-454: Respondent appeared before the Board having executed a Memorandum of Agreement for the purpose of determining disciplinary sanction. Motion to accept the Memorandum of Agreement with violations of the Nurse Practice Act as listed in the document and to require Respondent to return to RPP for a substance abuse evaluation and fitness for duty evaluation with RPP and return to the Board after those examinations for impositions of further restrictions or conditions. Motion carried.*

2017-680: Respondent appeared before the Board having submitted a request to modify a prior order of the Board. Motion to deny modification request. Motion carried.*

ADMINISTRATOR REVIEW REPORT:

The Administrator Review Report was presented for the Board's approval. Cases on this report are recommended either for Dismissal or a non-disciplinary Letter of Caution. Motion to accept the recommendation. Motion carried. *Conducted in Closed Session.*

WAIVED FINAL ORDER HEARING REPORT:

Respondents were previously before the Board's Panel for a full evidentiary hearing. Respondents have chosen to waive their appearance before the Board at a Final Hearing. The Panel's Recommendations are presented to the Board as a final resolution to the case. *Conducted in Closed Session.*

2019-535: Motion to approve the Final Order Hearing Recommendation. Motion carried.

2015-224: Motion to approve the Final Order Hearing Recommendation. Motion carried.

2018-574: Motion to approve the Final Order Hearing Recommendation. Motion carried.

2018-124: Motion to approve the Final Order Hearing Recommendation. Motion carried.

2018-22: Motion to approve the Final Order Hearing Recommendation. Motion carried.

2017-213: Motion to approve the Final Order Hearing Recommendation. Motion carried.

2018-251: Motion to approve the Final Order Hearing Recommendation. Motion carried.

2019-77: Motion to approve the Final Order Hearing Recommendation. Motion carried.

Motion to adjourn for the evening at 4:51 p.m. Motion carried.

CALL TO ORDER

Ms. Todd called the meeting to order at 8:36 a.m. on Friday, November 20, 2020. It is noted that a quorum was maintained at all times.

EXCUSED ABSENCES:

Motion to excuse Rebecca Morrison. Motion carried.

APPLICATION APPEARANCES:

Applicant One: An applicant for licensure as a Registered Nurse by Endorsement appeared before the Board. Motion to grant single-state license. Motion carried.*

Applicant Two: An applicant for licensure as a Licensed Practical Nurse by Endorsement appeared before the Board. Motion to grant licensure and to lift the TSO. Motion carried. *

Applicant Three: An applicant for licensure as a Registered Nurse by Reinstatement appeared before the Board. Motion to grant permanent license and release the Applicant of any remaining 2009 Consent Agreement terms and fines. Motion carried.*

EDUCATION REPORT:

New Position Statement “Recommended Clinical Hours Required for Competency:” The Board of Nursing allowed the Advisory Committee on Nursing Education (ACONE) to review the Competency document that is part of the application, used at renewal, and is listed on the Board’s website. The Board receives numerous calls around renewal time asking for the minimum number of hours that a nurse must work in order to be able to use the Employer Certification Form for competency. The ACONE developed a Position Statement and is submitting it for approval by the Board advising that competency is a dynamic concept changing as licensed nurses achieve a higher level of development, responsibility, and accountability as per statute. Additionally the document states that the ACONE does not believe that the Board needs to specify a minimum number of hours or any other regulatory methods and that by the employer signing the certificate they choose to verify that the nurse can safely, skillfully and proficiently perform their assigned nursing duties. Motion to accept the Position Statement. Motion carried.

Biennial Report of All Pre-Licensure Nursing Programs: By statute, the Board conducts a biennial report of the pre-licensure programs in South Carolina. The National Council State Boards of Nursing (NCSBN) conducts an annual report electronically, while our report was a paper document. NCSBN invited the state boards to join in their process and the Board agreed at a prior meeting. The survey has since been conducted and the results received. ACONE discussed the survey results at a recent meeting and had questions and recommendations for the Board as a result. First, there is an opportunity to conduct the survey annually rather than biennially. The ACONE is making that recommendation to the Board that the survey be conducted annually going forward. The second question is the survey time period. The current, biennial report uses the academic calendar with is July 1st through June 30th. NCSBN uses the calendar year January 1 through December 31st. ACONE recommends continuing to use the academic calendar, July 1st through June 30th. The recommendation before the Board is to add additional questions which were provided to the Board members for review. Motion to approve the request for the three changes to the pre-licensure nursing program report: change from biennial to annual; use the academic year of July 1st through June 30th; to add the questions to the survey as recommended by the ACONE. Motion carried.

ReLAES Licensure System Nurse Labels: Mr. Kubas discussed the seven approved APRN certification boards. The CRNA certifying boards and mid-wife certifying boards have one board and one certification or title. The nurse practitioners and clinical nurse specialists combined have over 23 titles which leads to confusion and mislabeling as some of those titles are no longer in use. The remaining five certification boards are follow a consensus model. There are some retired certifications that can no longer be tested, only renewed. The current list will move to nine Clinical Nurse Specialist types and 13 Nurse Practitioner types.

ADMINISTRATOR'S REPORT:

Joint Pharmacist Administered Vaccines Committee Update: Ms. Moody provided an update from the November 9, 2020 committee meeting. The committee is comprised of representatives from the Board of Medical Examiners, Board of Pharmacy, and Board of Nursing. Dr. Khalil Demonbreun and Dr. Stephanie Burgess represent the Board of Nursing. House Bill 4663 required that a protocol be developed for administration of influenza vaccines for persons under the age of 12. The recommendation of the committee will go to the Board of Medical Examiners for approval.

Updated Statistics: Board staff has issued 319 Limited Emergency Licenses through employers since Covid began mid-March and 273 Temporary Work Authorizations for new graduates, of which 67 are currently active. The remaining are now licensed having passed the NCLEX. The 2020 renewal cycle was extended through September 30th and over 76,000 LPNs, RN, and APRNs renewed during the renewal cycle. There were an additional approximate 1,000 nurses who renewed in the month following the renewal cycle and completed additional requirements due to the lateness of their renewal. With new applicants the total number of nurses is 81,863 among all credentials. The South Carolina Hospital Association has asked of those approximately 77,000 RNs and LPNs how many are working in-state vs working in another state on their compact license. That information will be forthcoming when it is available.

Covid Update: Two articles were provided in the Consent Agenda materials related to what was happening from a national perspective as a result of Covid.

Staff Update: The former licensing supervisor accepted a promotion from another Board within the agency. A replacement has not been found so Ms. Moody will continue to supervise licensing staff. The vacant position will be downgraded from a supervisor position to a licensing position and will be reposted. This will help ease the burden on the licensing staff.

Upcoming Projects: Now that the renewal cycle is over, Ms. Moody plans to complete several projects including moving APRN verification into NURSIS, automating the New Employment/Change of Practice form, review and tweak the paper and online applications to make them consistent, and IT developed a kiosk for walk-ins to limit face to face contact.

NLC Update and Board Administrator on NLC Executive Committee: New Jersey recently joined the Compact and plans to implement in 2021 as the 34th state to join the Compact. While they have not yet begun issuing Compact licenses, they will allow anyone with a Compact license to work in their state off of that license. Legislation that is pending in other states has slowed down due to Covid but it is expected that there will be more of a push for it due to Covid. The NLC is also rolling out education in 2021 to include a video for travel nurses and their employers, a template that individual states can use in newsletters to help educate nurses, an interactive training module for Board staff, nurse employer Webinars twice a month, and interactive handouts. Ms. Moody was elected to the executive committee for a two-year term and is still a member of the rules committee as well.

PRESIDENT'S REPORT:

Licensing Fees Update/BON Budget: The licensing fee recommendations were tabled due to the Covid pandemic.

Election of Officers: Motion to appoint Dr. Robert Wolff as Board Secretary. Motion carried. Motion to appoint Samuel McNutt as Board Vice-Chairperson. Motion carried. Motion to appoint Sallie Beth Todd as Board Chairperson. Motion carried.

RPP Questionnaire: The Recovering Professionals Program has submitted a survey to the Board. Board members are asked to review the survey and submit their individual responses to Board staff. Those responses will be compiled and discussed at a future Board meeting.

Committee Appointments and Scope of Committees: The Board will review the scope of committees and Board assignments at a future meeting. The Board also discussed expiration dates for terms of committee members.

The Board entered into Executive Session to receive legal counsel. The Board requests to invite Lara Hewitt from the South Carolina Hospital Association to the January Board meeting to discuss the idea of continuing the graduate nurse role and their thoughts. The Board also wishes to receive the scope, purpose or description, and membership for each committee for the January Board meeting.

Motion to adjourn the November 2020 Board of Nursing meeting at 2:17 p.m. Motion carried.

*Indicates that the Board entered into Executive Session for the purpose of receiving legal counsel. No official actions were taken while in Executive Session.