



**JANUARY 27-28, 2022 MEETING MINUTES**

Sallie Beth Todd, Chairperson of the South Carolina State Board of Nursing, called the January 2022 meeting to order at 8:36 a.m. on January 27, 2022. 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, DNP, APRN, PPCNP-BC	1 <sup>st</sup> Congressional District	Excused	
Rebecca Morrison, APRN, MSN, FNP-BC	2 <sup>nd</sup> Congressional District	Present	
Kay Swisher, RN, MSN	3 <sup>rd</sup> Congressional District	Present	
Sallie Beth Todd, RN, MSN-Ed	Board of Nursing Chair 4 <sup>th</sup> Congressional District	Excused	
Samuel McNutt, RN, CRNA, MHSA	Board of Nursing Vice- Chair 5 <sup>th</sup> Congressional District	Present	
Jonella Davis, MBA, BSN, RN, NEA-BC	7 <sup>th</sup> Congressional District	Present	
Tamara Day, LPN	At-Large, LPN	Present	
Robert J. Wolff, PhD	Public Member	Present	
Vacancy	6 <sup>th</sup> Congressional District	Vacant	
Vacancy	At-Large, LPN	Vacant	
Vacancy	Public Member	Vacant	

Carol Moody, Administrator, Board of Nursing	LLR STAFF PRESENT
Megan Flannery, Advice Counsel for the Board of Nursing	
Bob Horner, Advice Counsel for the Board of Nursing as Noted	
Ginna West, Board of Nursing Program Assistant	
Shannon Stricklin Board of Nursing Staff	
Mindy Carithers, Nurse Practice Consultant and Compliance Manager, Board of Nursing	
Peter Kubas, Nurse Education Consultant	
Jennifer O'Shields, Administrative Coordinator, Board of Nursing	
Tina Brown, Assistant Disciplinary Counsel	
Shanika Johnson, Assistant Disciplinary Counsel	
Princess Hodges, Assistant Disciplinary Counsel	
Shelby Sutusky, Assistant Disciplinary Counsel	
Mark Sanders, Chief Investigator, Office of Investigations and Enforcement	
Tina Behles, Court Reporter	

**EXCUSED ABSENCES:**

Motion to excuse Board Member Dr. Robert Wolff from the meeting. Motion carried.  
*Dr. Wolff joined the meeting at 8:39 a.m. having experienced difficulty signing into the meeting.*

## **APPROVAL OF AGENDA:**

Motion to approve Agenda. Motion carried.

## **BOARD MINUTES:**

Motion to defer Minutes.

## **CONSENT AGENDA:**

Motion to approve the Consent Agenda as amended. Motion carried.

## **EDUCATION APPEARANCES**

**Williamsburg Technical College:** Dr. Heather Anderson appeared before the Board representing Williamsburg Technical College's Associate Degree in Nursing Program in their request for full approval status. The Program's first cohort graduated in May 2020. Nurse Education Consultant, Peter Kubas, stated that a program must make application for full approval within six months following the taking of the NCLEX by the first graduating class. However, due to Covid-19 travel restrictions the program could not be surveyed at that time. In March 2021, the Program was cited for deficient 2020 NCLEX pass rate. The Program appeared before the Board and the Board accepted the information presented. The Program submitted a self-study for the initial post-NCLEX site survey and the Program was surveyed on November 2-4, 2021. At the December 8, 2021 Advisory Committee on Nursing Education (ACONE) meeting, the Committee voted to recommend approval to the Board. The Program achieved a 100% pass rate for 2021. Dr. Anderson addressed the steps taken to address the deficiency and the finding in the Site Report. Ms. Rebecca Perales addressed the Board to review her experience and the course that she is taking in order to seek certification.

Motion to move Williamsburg Technical College's Associate Degree in Nursing Program from initial to full approval status. Motion carried.\*

**The Citadel:** Dr. Kimberly Subasic, Dr. Sallie Selden, and Dr. Darin Zimmerman appeared before the Board representing The Citadel's Bachelor of Science in Nursing Program as a follow-up to prior NCLEX deficiency as well as a request for full approval status. Mr. Kubas stated that The Citadel's first graduating class was in 2019, and that a program must make application for full approval status within six months following the taking of the NCLEX by the first graduating class. However, due to Covid-19 travel restrictions the program could not be surveyed at that time. In January 2020 the Program was cited for deficient 2019 NCLEX pass rate. At the September 2020 Board of Nursing meeting, the Board ordered that the approval status be changed from initial to conditional. In January 2021, the Program was cited for deficient 2020 NCLEX pass rate. At the March 2021 Board of Nursing meeting, the Board ordered the Program to remain on conditional status. In January 2022, the Program was cited for deficient 2021 NCLEX pass rate. The Program submitted a self-study for the initial post-NCLEX site survey and the Program was surveyed on October 26-27, 2021. At the December 8, 2021 ACONe meeting, the Committee voted to recommend approval to the Board. Mr. Kubas stated that the Program is accredited through the Commission on Collegiate Nursing Education (CCNE) through 2024. Dr. Subasic addressed the Site Report from the visit in October 2021. Dr. Subasic states that all of the items have been addressed and if a change has not occurred it is in process or on an agenda to begin within the semester. Dr. Subasic states that the Program has aggressively worked to alter the curriculum, to change resources to meet the students' needs. Dr. Selden addressed support from school administration to the Program and stated that the physical space will be updated summer 2022 for the entire Program, improving labs. Dr. Subasic addressed the curriculum changes, the implementation of test prep programs, and introduction of labs earlier in the Program. Dr. Selden discussed admission requirements stated that the Program is looking more heavily on the science and then discussed the new grade requirement for progression. Dr. Selden further discussed the remediation available to address deficiencies. Dr. Subasic discussed efforts to address the gaps in knowledge that the 2022 graduating cohort may have including drop-in review sessions for fundamental things and drop-in simulation lab time when students can practice a skill or application. Dr. Subasic stated that she is meeting individually with any students who have made a

“C” to determine what needs to be done to support their learning and stated that a nursing tutor was added the prior semester [Fall 2021]. Dr. Subasic stated that the tutor is a recent graduate of the Program who passed the NCLEX on the first attempt.

Motion to keep The Citadel’s Bachelor of Science in Nursing Program in conditional approval status and to require reappearance at the September 2022 meeting post 2022 graduation.

Motion carried.\*

**Florence Darlington Technical College:** Dr. Annie Ruth Grant appeared before the Board representing Florence Darlington Technical College’s Associate Degree in Nursing Program as a follow-up to prior NCLEX deficiency. In May 2017 the Program appeared before the Board in response to a citation for deficient NCLEX scores. In January 2018, the Program was cited for deficient 2017 NCLEX pass rate. At that time the Board moved the approval status from full to conditional and ordered a return in May 2018. During the May 2018 Board of Nursing meeting, the Board accepted the information and ordered a return in January 2019 with four conditions: 1) a full report of the 2018 NCLEX scores; 2) a written action plan for pre-nursing students and a continuation plan; 3) curriculum vitae for all nurse faculty members to include continuing education to date, and 4) the college administration was to attend the meeting as well. During the January 2019 Board of Nursing meeting, the Board accepted the information presented, the approval status remained as conditional and the Board was ordered to return in January 2020. During the January 2020 Board of Nursing meeting, the Board denied full approval and ordered that the Program remain in conditional approval status. The current action plan was introduced at the January 2020 meeting and is continued. The Board ordered a return to the September 2020 meeting. Dr. Grant and Dr. Averette appeared before the Board to provide an update and the Board ordered a new conditional approval status and a return before the Board at the January 2022 meeting.

Dr. Grant stated that the Program had been working on the improvement plan for the last three years and reviewed recent progress. Dr. Grant stated that a doctoral prepared nurse was hired as the student success coordinator to help increase Board scores and that students have enjoyed working with her on remediation. Dr. Grant reminded the Board that the pass-rate had been increased as well as the admission requirements and states that since 2018 scores have improved. Dr. Grant stated that the Program has met the American Association of Colleges of Nursing (AACN) accreditation requirements for NCLEX pass-rate and states that the Board pass-rate has been met for the last four years. The Program is requesting full approval status.

Motion to move Florence Darlington Technical College’s Associate Degree in Nursing Program from conditional to full approval status. Motion carried.\*

#### **OFFICE OF INVESTIGATIONS AND ENFORCEMENT:**

Chief Investigator Mark Sanders presented the Investigative Review Committee Report for approval. *Conducted in Closed Session.*

Motion to approve 36 Dismissals. Motion carried.

Motion to approve 50 Formal Complaints. Motion carried.

Motion to approve 14 Letters of Caution. Motion carried.

Mr. Sanders further presented the Statistical Report.

## **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.

**2020-560:** 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 the following stipulations: a single-stated license, public reprimand, and other terms and conditions known to the Board and the Respondent. Motion carried.\*

**2019-148:** Respondent appeared before the Board having executed a Stipulation of Facts to determine whether a violation of the Nurse Practice Act occurred, and if so, appropriate disciplinary sanction.

Motion to accept the Stipulation of Facts without a finding of a violation of the Nurse Practice Act and to dismiss the Formal Complaint. Motion carried.\*

*Ms. Kay Swisher was recused from this appearance. Ms. Swisher rejoined the meeting at the conclusion of the appearance.*

**2018-589:** This case is before the Board for a Final Order Hearing and was previously before the Board of Nursing Hearing Panel for review and a report has been issued with a recommendation regarding violations of the Nurse Practice Act and disciplinary sanction recommendations. The Board had an opportunity to review the evidence presented during the full evidentiary hearing as well as the recommendation of the Panel.

Motion to accept the Board of Nursing Hearing Panel's Final Order Hearing Recommendation. Motion carried.\*

*Advice Counsel for the Board of Nursing, Megan Flannery, did not participate in this appearance. Bob Horner, also with the Office of Advice Counsel, was counsel for the Board instead. Ms. Flannery rejoined the meeting as counsel at the conclusion of this appearance.*

**2018-657:** 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 issuance of a non-disciplinary Letter of Caution. Motion carried.\*

**2018-687:** 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, to accept the coursework already completed, and to issue a non-disciplinary Letter of Caution. Motion carried.\*

**2019-327:** 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 issuance of a non-disciplinary Letter of Caution and to lift the Temporary Suspension Order. The Motion carried.\*

*Advice Counsel for the Board of Nursing, Megan Flannery, did not participate in this appearance. Bob Horner, also with the Office of Advice Counsel, was counsel for the Board instead. Ms. Flannery rejoined the meeting as counsel at the conclusion of this appearance.*

**2019-54:** This case is before the Board for a Final Order Hearing and was previously before the Board of Nursing Hearing Panel for review and a report has been issued with a recommendation regarding violations of the Nurse Practice Act and disciplinary sanction recommendations. The Board had an opportunity to review the evidence presented during the full evidentiary hearing as well as the recommendation of the Panel. The Respondent was not present for the Final Order Hearing. After first determining that proper notice was provided to the Respondent, the Board proceeded with the hearing.

Motion to accept the Board of Nursing Hearing Panel's Final Order Hearing Recommendation.

Motion carried.

#### **ADMINISTRATOR'S REPORT:**

Board Administrator, Carol Moody, first discussed the Graduate Nurse Temporary Licenses (GNTL). Ms. Moody stated that eight LPN GNTL and 66 RN GNTL have been issued since the November meeting. Ms. Moody stated that she could not provide a number who have filed the NCLEX and had to have the temporary license removed but that it is a minimal number. Since the September meeting over 1,000 licenses have been issued including applications by endorsement, reinstatement, examination, etc. Ms. Moody stated that a public member has been appointed but cannot begin until approved by the Senate and that she does not have any further updates on the approval. Ms. Moody encouraged Board members who are interested in reappointment to contact the Governor's office. Ms. Moody provided an update on Board staff vacancies. Ms. Moody further provided updates from the Nurse Licensure Compact (NLC) and the states that have joined, implemented, or have pending implementation. Ms. Moody discussed the upcoming 2022 renewal period and the preparations underway. Ms. Moody asked the Board to determine if Mr. McNutt would remain the Board appointed legislative liaison and whether a backup is needed. Ms. Moody reminded the Board members to file the Statement of Economic Interest by the end of March. Ms. Moody asked the Board to consider whether the meetings would continue to be virtual or could occur in-person. Ms. Moody provided a list of upcoming National Council of State Board of Nursing meetings. No motions were made during the Administrator's Report.

*The Board entered Executive Session to seek legal counsel for the disciplinary cases noted below and also sought counsel on Ms. Moody's requests listed above. Mr. McNutt will remain the Legislative Liaison and Ms. Day will be his backup. Board members feel that it is in the best interest of public safety to remain virtual in March.*

### **PRACTICE CONSULTANT REPORT:**

Nurse Practice Consultant, Dr. Mindy Carithers, stated that the Nursing Practice and Standards Committee is recommending the following revisions to Advisory Opinion #69:

To revise the Advisory Opinion to allow the RN or LPN to administer injectable Lidocaine in preparation for dermatological procedures. Advisory Opinion #69 did not originally allow the administration but the Committee concluded after research and discussion that it is within the scope of practice for the RN and LPN to do so.

Motion to approve the Advisory Opinions as presented. Motion carried.

Dr. Carithers then discussed a suggested addition to the list of disciplinary course options for professional ethics. The suggested course is accredited by the California Board of Nursing.

Motion to add the course. Motion carried.

Dr. Carithers and Ms. Moody discussed the Jurisprudence Exam as a possible sanction when a Respondent has violated the Nurse Practice Act for the nurse's education and learning. Ms. Todd asked for further time to review recent revisions to the Exam suggested by Advice Counsel and Dr. Garber. Ms. Todd requested that the Board members review the Exam overnight and that it be taken up for discussion during Friday's session.

*As requested the Board addressed the Jurisprudence Exam during the Friday session and voted to continue further discussion to the March meeting.*

Motion to move the Jurisprudence Exam to the March meeting Agenda. Motion carried.

### **DISCIPLINARY HEARINGS CONTINUED:**

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.

**2018-526:** 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 issuance of a private reprimand and to require the Critical Thinking course to be completed within six months of the date of the order. Motion carried.\*

*Board Chairperson, Sallie Beth Todd, is recused from this appearance. Board Vice-Chairperson, Samuel McNutt, chaired this appearance. Ms. Todd rejoined the meeting at the conclusion of this appearance.*

**2018-654:** Respondent appeared before the Board having executed a Stipulation of Facts to determine whether a violation of the Nurse Practice Act occurred, and if so, appropriate disciplinary sanction.

Motion to accept the Stipulation of Facts without a finding of a violation of the Nurse Practice Act and to issue a non-disciplinary Letter of Caution. Motion carried.\*

**2019-68:** This case is before the Board for a Final Order Hearing and was previously before the Board of Nursing Hearing Panel for review and a report has been issued with a recommendation regarding violations of the Nurse Practice Act and disciplinary sanction recommendations. The Board had an opportunity to review the evidence presented during the full evidentiary hearing as well as the recommendation of the Panel.

Motion to accept the Board of Nursing Hearing Panel's Final Order Hearing Recommendation with the updated courses as listed. Motion carried.

Motion to adjourn for the evening at 5:34 p.m.

**CALL TO ORDER**

Ms. Todd called the meeting to order at 8:36 a.m. on Friday, January 28, 2022. It is noted that a quorum was present at all times.

**EXCUSED ABSENCES:**

No absences are noted and all Board Members are present for the meeting.

**FOLLOW-UP TO 2021 RN LPN & APRN SURVEY**

Dr. Rhonda Hughes appeared before the Board upon their request as follow-up to a previous appearance to discuss analysis of the survey findings.

**APPLICATION/COMPLIANCE APPEARANCES:**

**Compliance/Application Appearance 1:** An applicant for licensure as a LPN by endorsement appeared before the Board.

Motion to grant licensure by endorsement upon successful completion of terms known to the applicant and the Board. Motion carried.\*

**Compliance/Application Appearance 2:** An applicant for licensure as a RN by endorsement appeared before the Board.

Motion to grant licensure by endorsement. Motion carried.\*

**Compliance/Application Appearance 3:** An applicant for licensure as a RN by endorsement appeared before the Board.

Motion to grant licensure by endorsement with the condition of worksite approval and no home health practice. Motion carried.\*

**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.

**2020-003:** Respondent appeared before the Board having executed a Memorandum of Agreement for the purpose of determining disciplinary sanction.

Motion to dismiss the Formal Complaint. Motion carried.\*

**2020-421:** Respondent appeared before the Board having executed a Memorandum of Agreement for the purpose of determining disciplinary sanction.

Motion to dismiss the Formal Complaint. Motion carried.\*

**2020-28:** Respondent appeared before the Board having executed a Stipulation of Facts to determine whether a violation of the Nurse Practice Act occurred, and if so, appropriate disciplinary sanction.

Motion to accept the Stipulation of Facts with a finding of no violation of the Nurse Practice Act and issuance of a non-disciplinary Letter of Caution. Motion carried.\*



**2020-418:** Licensee was before the Board having submitted a request for modification of a prior Board Order.

Motion to grant the modification and remove the quarterly reports and supervision, and to terminate the probation. Other conditions known to the Licensee and the Board will remain in place. Motion carried.\*

I5 **2017-680:** Licensee was before the Board having submitted a request for modification of a prior Board Order.

Motion to deny the modification request. Motion carried.\*

### **PAIN MANAGEMENT BY THE CRNA:**

Darra James Coleman, Esquire, requested to appear before the Board to discuss pain management by the CRNA. Ms. Coleman states that a group of concerned physicians brought the issue to her firm to seek guidance from the Board regarding a scope of practice issue. Ms. Coleman asked Dr. Kevin Walker to join her in the appearance to share his insight and perspective on the patient safety implications and due to his specialization and recognition as a leader in both the fields of pain management and anesthesiology and to discuss the distinctions between these two disciplines in the field of medicine and the practice of nursing, specifically within the area of anesthesia services. Ms. Coleman states that the issue is related to the scope of practice of a CRNA offering pain management services, including but not limited to joint injections outside the supervision of a physician or a dentist in an intraoperative setting, which Ms. Coleman states falls outside the scope of practice of a CRNA. Ms. Coleman referenced her January 25<sup>th</sup> letter that she sent to the Board listing the statutory provisions referenced. Ms. Coleman references Medical Practice Act Section 40-47-20 (36) and Section 40-47-20 (12) and (35). Ms. Coleman further referenced Nurse Practice Act Section 40-33-20 and Section 40-33-34.

Dr. Walker stated that he has practiced in pain management for 13 years. Dr. Walker stated that he spent four years in medical school, four years of anesthesia residence with eight months of those months in pain management, and an additional year studying solely pain management and interventions. Dr. Walker stated that three other specialties in medicine who are able to apply for accredited fellowships and sit to the Boards of Pain Medicine: neurology, psychiatry, or physical medicine and rehabilitation. Dr. Walker stated that it is a physician situation that requires a significant amount of training to understand the ramifications of painful conditions, trauma that causes pain, and surgery that causes pain. Dr. Walker stated that to do joint injections for pain is only a minuscule piece of what is needed for patients.

Ms. Coleman stated that the issue is before the Board as a patient safety concern and not in the form of a complaint because they are not concerned about singling out an individual or trying to get anyone in trouble. Ms. Coleman stated that she wants to be clear that the respectful nature in which it's brought forward should reflect the respect that is held for the work that CRNAs do and the contributions that are made as valuable members of the care team. Ms. Coleman asked that the Board consider the totality of the question before it based on the statutes cited in her letter to the Board and the comments and to conclude that the circumstances fall outside the scope of practice of a South Carolina CRNA. In response to an inquiry from a Board member, Ms. Coleman stated that the CRNA guidelines are limited to anesthesia services and medical acts are not delegable to CRNAs as they are other APRNs pursuant to the provisions of the Medical Practice Act and the Nurse Practice Act.

CRNA Elizabeth Wilkes asked to provide comment. Ms. Wilkes stated that she has been in her current role for almost six years. Ms. Wilkes stated that she graduated in 1999 with her Bachelor of Science in Nursing Degree from Clemson University and received her Masters of Science in Nurse Anesthesia from the University of South Carolina School of Medicine in 2004. Ms. Wilkes states that she practices in Tennessee, North Carolina, and South Carolina and is the current President of the South Carolina Association of Nurse Anesthetists. Ms. Wilkes stated that chronic pain is a huge problem in our country and has been linked to numerous physical and mental conditions and contributes to the high cost of health care. Ms. Wilkes stated that the rates for chronic pain range anywhere from 11 to 40% and that in 2016 20% of US adults had chronic pain and 8% had high-impact chronic pain. Ms. Wilkes further stated that it is within the professional scope of practice of CRNAs to provide pain management services, and that it is also the position of the American Association of Nurse Anesthesiology. Ms. Wilkes stated that CRNAs provide acute, chronic, and interventional pain management services and that CRNAs are competent, safe, effective providers of pain management. Ms. Wilkes further stated that the Federal Trade Commission has warned that legislation or regulatory restrictions on CRNA pain management practice, if adopted, could reduce competition, raise the prices of pain management services, and reduce the availability of those services and stated that in November 2012, Medicare published a final rule authorizing direct reimbursement of CRNAs for chronic pain management services. Ms. Wilkes said that this “confirms that fact that the federal government recognizes CRNAs as qualified pain management providers.” Ms. Wilkes stated that CRNA’s scope of practice includes the use of ultrasound, fluoroscopy and other technologies for care delivery to improve patient safety and comfort. Ms. Wilkes stated that CRNAs have achieved advanced education to keep up with emerging scientific and technological developments in pain management practice by attending extensive continuing education offerings, just as physicians do when learning a new developed skill and stated that CRNAs who practice chronic pain management have completed fellowships and received advanced training. Ms. Wilkes further stated that the excellent safety record of CRNAs is reflected by their impressive malpractice insurance history and that premiums for CRNAs have declined over the last 20 years despite a general rise in jury awards against healthcare professionals. Ms. Wilkes stated that CRNAs have supervision by any physician, proceduralist, or dentist and that CRNAs always work in accordance with written guidelines of their facility and are credentialed as such. Ms. Wilkes stated that pain treatment is within the professional scope of practice of CRNAs and that CRNAs are uniquely situated to be part of the growing national pain problem and provide critical pain management and access to care.

Dr. Cheryl Schosky, a CRNA, then asked to address the Board. Dr. Schosky shared her experience with the two-year fellowship that she attended, which included eight weeks of onsite supervised clinicals and 583 cases of the following types: injections, medial branch nerve blocks, ablations, SI joint injections, etc. Dr. Schosky stated that her fellowship allowed her to prepare for a certification exam and she is now non-surgical pain management certified and that there are only 130 CRNAs in the country who are non-surgical pain management certified, with two in South Carolina. Dr. Schosky stated that she has to practice in other states and leave her family and home to take care of chronic pain and patients who are suffering, and who have to wait sometimes three to five months to get an appointment. Dr. Schosky states that she has practiced in New Hampshire where she has a DEA license, in Vermont where she also has a DEA license, and in Virginia. Dr. Schosky states that she has been performing anesthesia for 30 years and has never had a malpractice or licensure complaint. Dr. Schosky stated at this time should she choose to practice in South Carolina it would be a collaborative effort with a physician and guidelines, policies, and procedures in place available on site should the Board ask for those documents. Dr. Schosky states that she receives referrals from orthopedic surgeons, neurosurgeons, and from podiatry who will also work with a MD or DO physician and that it is a collaborative, team approach in the true meaning where no one is overseeing/managing the practice of another.

Dr. Walker and Dr. Schosky then discussed the fellowship that Dr. Schosky attended. There were further comments from Ms. Coleman, Dr. Walker, Ms. Wilkes, and Ms. Schosky.

Motion to accept the information presented. Motion carried.

**DISCIPLINARY HEARINGS CONTINUED:**

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.

**2019-246:** This case is before the Board for a Final Order Hearing and was previously before the Board of Nursing Hearing Panel for review and a report has been issued with a recommendation regarding violations of the Nurse Practice Act and disciplinary sanction recommendations. The Board had an opportunity to review the evidence presented during the full evidentiary hearing as well as the recommendation of the Panel.

Motion to accept the Board of Nursing Hearing Panel's Final Order Hearing Recommendation. Motion carried.

**2020-405:** Licensee was before the Board having submitted a request for modification of a prior Board Order.

Motion to deny request for modification. Motion carried.\*

*Advice Counsel for the Board of Nursing, Megan Flannery, did not participate in this appearance. Bob Horner, also with the Office of Advice Counsel, was counsel for the Board instead. Ms. Flannery rejoined the meeting as counsel at the conclusion of this appearance.*

**2019-488:** 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 issuance of a private reprimand, acceptance of the coursework completed, and investigative costs due within six months of the date of the order. Motion carried.\*

*Ms. Kay Swisher was recused from this appearance. Ms. Swisher rejoined the meeting at the conclusion of the appearance.*

**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.

2019-347: Motion to approve the Final Order Hearing Recommendation. Motion carried.

2019-139: Motion to approve the Final Order Hearing Recommendation. 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 recommendations. Motion carried. *Conducted in Closed Session.*

Motion to adjourn at 5:34 p.m.

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