



MAY 20-21, 2021 MEETING MINUTES

Sallie Beth Todd, Chairperson of the South Carolina State Board of Nursing, called the May 2021 meeting to order at 8:48 a.m. on May 20, 2021. 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	Present	
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	
Tamara K. Day, LPN	At-Large, LPN	Present	
Robert J. Wolff, PhD	Board of Nursing Secretary Public Member	Present	
Vacancy	6 th Congressional District	Vacant	
Vacancy	At-Large, LPN	Vacant	
Vacancy	Public Member	Vacant	

Carol Moody, Administrator, Board of Nursing	LLR STAFF PRESENT
Bob Horner, Advice Counsel for the Board of Nursing	
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	
Princess Hodges, Assistant Disciplinary Counsel	
Prentiss Shealey, Assistant Disciplinary Counsel	
Megan Flannery, Assistant Disciplinary Counsel	
Mark Sanders, Office of Investigations and Enforcement	
Jenna Martin, Office of Investigations and Enforcement	
Tina Behles, Court Reporter	

EXCUSED ABSENCES:

There are no absences for this meeting.

APPROVAL OF AGENDA:

Motion to approve the Agenda. Motion carried.

CONSENT AGENDA:

Motion to approve the Consent Agenda. Motion carried.

BOARD MINUTES:

Motion to defer the March 2021 meeting Minutes. Motion carried.

EDUCATION APPEARANCES:

Auburn University: Ms. Tanya Johnson appeared before the Board representing Auburn University for their request for approval to conduct pre-licensure clinical experiences at the Medical University of South Carolina (MUSC) Hospital. The request was previously before the Advisory Committee on Nursing Education (ACONE) at their April 2021 meeting, and was recommended for approval. Motion to approve the request. Motion carried.

Coker University: Dr. Carolyn Hart appeared before the Board representing Coker University for their request for approval to establish a Baccalaureate in Nursing Program. The request was previously before ACONe at their April 2021 meeting, and was recommended for approval. Motion to move forward approving Coker for the feasibility study. Motion carried.

Galen University ADN Program: Dr. Audria Denker and Dr. Tracy Ortelli appeared before the Board representing Galen University for their request to establish an Associate Degree in Nursing Program at their Myrtle Beach campus. The request was previously before ACONe at their April 2021 meeting, and was recommended for approval.

Motion to grant approval for the feasibility study for the ADN Program. Motion carried.

Galen University BSN Program: Dr. Audria Denker and Dr. Tracy Ortelli appeared before the Board representing Galen University for their request to establish a Baccalaureate in Nursing Program at their Myrtle Beach campus. The request was previously before ACONe at their April 2021 meeting, and was recommended for approval.

Motion to move forward approving the BSN Program at Galen University for the feasibility study. 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 13 Dismissals. Motion carried.

Motion to approve 27 Formal Complaints. Motion carried.

Motion to approve 16 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.

2017-535: The Respondent appeared before the Board having executed a Memorandum of Agreement for the purpose of determining disciplinary action.

Motion to accept the Memorandum of Agreement and Stipulations, to release the Respondent from the Order of Evaluation and Suspended Status, to issue a private reprimand, and to require the Medication Errors Course to be completed within three months of the date of the order. Motion carried.*

2020-75: The Respondent appeared before the Board having executed a Memorandum of Agreement for the purpose of determining disciplinary action.

Motion to accept the Memorandum of Agreement and to issue a private reprimand with acceptance of the courses already completed with the addition of the Critical Thinking Course to be completed within three months. Motion carried.*

2019-245: The Respondent appeared before the Board having executed a Memorandum of Agreement for the purpose of determining disciplinary action.

Motion to accept the Memorandum of Agreement with issuance of a private reprimand and the Medication Administration Course within three months of the date of the order. Motion carried.*

2018-683: This appearance is postponed as the Respondent did not appear for the meeting.

EDUCATION REPORT:

Nurse Education Consultant, Peter Kubas, presented his Education Report. The June 2021 ACONe meeting is going to be cancelled due to scheduling difficulties and lack of items for discussion. The Advanced Practice Committee (APC) has two new committee members as voted on at a prior Board meeting. Board staff is going through the website and updating information and streamlining to make things easier to find as well as updating to make many of the applications fillable forms. Mr. Kubas will be resuming site visits including Northeastern Technical College and The Citadel. Pearson Vue has provided a link to Mr. Kubas that allows him to see NCLEX testing availability and it appears that testing sites are filling up for the upcoming months. This is not pandemic related as all of the testing centers in South Carolina are fully operational. The testing centers are still operating under expanded hours that were implemented due to the pandemic. Mr. Kubas and Ms. Moody discussed the influx of nurses into South Carolina and the increased number of Endorsement applications.

DISCIPLINARY HEARINGS CONTINUED:

2014-614 & 2016-632: The Respondent appeared before the Board having submitted a request to modify a prior order of the Board.

Motion to accept the expungement request and authorize Advice Counsel for the Board to review all prior orders and expunge any reference to the criminal charges as needed to comply with State law. Motion carried.

2019-530: The Respondent previously appeared before the Board's Hearing Panel for a full disciplinary hearing. The Respondent has waived appearance at this meeting.

Motion to accept the Final Order Hearing as presented. Motion carried.

2018-553: The Respondent appeared before the Board subsequent to a full disciplinary hearing before the Board's Hearing Panel.

Motion to accept the Hearing Panel's Recommendation. Motion carried.*

2019-445: Respondent appeared before the Board having executed a Stipulation of Fact for the purpose of determining whether a violation of the Nurse Practice Act occurred and disciplinary sanction, if any.

Motion to accept the Stipulation of Facts with a finding of a violation of South Carolina Code Section 40-33-110 (A) (21) with issuance of a Letter of Caution and acceptance of the coursework already completed. 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.*

2019-578: Motion to approve the recommendation of the Hearing Panel. Motion carried.

2019-367: Motion to approve the recommendation of the Hearing Panel. Motion carried.

2020-222: Motion to approve the recommendation of the Hearing Panel. Motion carried.

2016-681: Motion to approve the recommendation of the Hearing Panel. Motion carried.

PRACTICE REPORT:

Nurse Practice Consultant, Mindy Carithers, appeared before the Board to present her practice report, which included updates to Advisory Opinions as recommended by the Nursing Practice and Standards Committee (NPSC).

Motion to return Advisory Opinion 73 to the Advanced Practice Committee to review suggested changes. Motion carried.

Motion to accept the changes to Advisory Opinions 11, 12, and 33 as discussed. Motion carried.

Motion to update Advisory Opinions 5, 7, 19, 21, 39, and 41 as discussed. Motion carried.

ADVICE COUNSEL REPORT:

Advice Counsel for the Board, Bob Horner, discussed temporary licenses for subsequent applications when the first application was incomplete when the consultation of Board Chairperson and Advice Counsel.

Motion to authorize the issuance of a second temporary license when a subsequent application is submitted where extenuating circumstances exist as to why the applicant was unable to work on the first temporary license or complete the application, as determined by the Board Chairperson in consultation with Advice Counsel. Motion carried.

Mr. Horner then discussed the English Proficiency Scoring with the Board. The Board discussed different options and timeframes for composite scoring.

Motion to accept English proficiency tests composite scores taken within the valid exam period established by the testing agency. Motion carried.

Mr. Horner discussed Limited Emergency Licenses (LELs) with the Board. The LEL was originally created because of a natural disaster that occurred to allow nurses from out of state to quickly come in and work on a limited basis during a specific timeframe. The license was limited to 15 days with one extension. The Board has been asked to consider parameters that incorporate the differences between a State of Emergency due to natural disaster and a Public Health Emergency which is a long-term issue. The Board will discuss the language at an upcoming meeting.

Mr. Horner also discussed APRNs performing radiological procedures. Mr. Horner would like to send an E-Blast to APRNs outlining the process for APRNs to receive approval to perform radiological procedures.

Motion to send out an informational email to APRNs to make them aware of these requirements as noted by Advice Counsel. Motion carried.

Mr. Horner then discussed the topic of “Additional Acts” by the Advanced Practice Registered Nurse (APRN). Mr. Horner discussed research that he conducted subsequent to a Nurse Practitioner’s request to determine whether dry needling is in the scope of practice for an APRN. Mr. Horner reviewed the education, training, and program completed and is asking the Board to make a determination. Mr. Horner does not intend to issue an Advisory Opinion or Position Statement, but to review each request individually.

Motion to determine based upon the information provided, the course work submitted that the Board deems it an additional act within an APRN’s individual scope of practice once completed. Motion carried.

ADMINISTRATOR’S REPORT:

Board Administrator, Carol Moody, presented the Administrator’s Report to the Board. Ms. Moody provided a statistical update including the number of licenses issued since the prior meeting. Ms. Moody provided an update on the change from Temporary Work Authorization (TWA) for new graduates to a temporary license. Ms. Moody provided an update on Nursing Board positions. Mr. McNutt and Ms. Swisher were reappointed. Ms. Tamara Day was recently confirmed as an LPN at-large member and will be in attendance at the July meeting. There are currently three vacancies remaining: a RN for District 6, a second LPN at-large, and a Public Member. Ms. Moody updated the Board about staffing changes. Ms. Moody provided an update on the Nurse Licensure Compact and states that are joining and their implementation plans. The Board office is continuing to get inquiries from nurses regarding communications that they have received that are attempts to scam them, typically threats of discipline or taking their license. The Board issued an E-Blast to caution all nurses to call the Board office directly if they believe that a call may not be legitimate. There is also an alert posted to the Board’s website. The Board previously approved a mid-cycle survey for all RNs and APRNs. The survey was sent to all RNs and APRNs on May 4, 2021 and May 18, 2021. Ms. Moody stated that Dr. Hughes reports about a 35% response rate to date. Dr. Hughes will appear before the Board in July to provide the results of the survey. Ms. Moody reviewed upcoming NCSBN meetings. Motion to adjourn for the evening at 4:38 p.m.

FRIDAY, MAY 21, 2021

CALL TO ORDER

Ms. Todd called the meeting to order at 8:35 a.m. on Friday, May 21, 2021. It is noted that a quorum was present at all times.

EXCUSED ABSENCES

Motion to excuse Ms. Morrison. Motion carried.

APPLICATION APPEARANCES:

Applicant One: An applicant for licensure as an APRN by reinstatement appeared before the Board. Motion to reinstate applicant as a Registered Nurse upon documented evidence of successful completion of a Nurse Refresher Course approved by the Board within 12 months of the date of the Order. Motion carried.*

Applicant Two: An applicant for licensure as a RN by reinstatement appeared before the Board. Motion to reinstate license in single-state status. Motion carried.*

Applicant Three: An applicant for licensure as an APRN by reinstatement appeared before the Board.

Motion to grant single-state RN licensure with worksite approval. 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.

2017-599: Respondent appeared before the Board having executed a Memorandum of Agreement for the purpose of determining disciplinary sanction.

Motion to dismiss the complaint and issue a non-disciplinary Letter of Caution. Motion carried.

THE RECOVERING PROFESSIONALS PROGRAM

Robyn Madden, Special Counsel for RPP appeared before the Board to discuss Medication Assisted Therapy. A work group was created and has met twice. An outline will be presented at a future Board meeting for approval.

No motion was made.

Ms. Madden then discussed the RPP Questionnaire that was sent to the Board to determine Board approved RPP procedures. Ms. Madden appeared before the Board at a prior meeting and was asked to provide follow-up information at that time. Ms. Madden is before the Board to discuss their feedback.

No motion was made.

Motion to adjourn the May 2021 Board of Nursing meeting at 1:03 p.m.

*Indicates that the Board entered into Executive Session for the purpose of legal counsel. No official actions were taken or motions made during Executive Session.