



South Carolina
Department of Labor, Licensing and Regulation



Board of Nursing

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Henry D. McMaster
Governor

Emily H. Farr
Director

JULY 28-29, 2022 MEETING MINUTES

Sallie Beth Todd, Chairperson of the South Carolina State Board of Nursing, called the July 2022 meeting to order at 8:32 a.m. on July 28, 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, 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	
Lindsey Mitchum	Public Member	Excused	
Vacancy	6 th Congressional District	Vacant	
Vacancy	At-Large, LPN	Vacant	

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

EXCUSED ABSENCES

Motion to excuse Lindsey Mitcham. Motion carried.

APPROVAL OF AGENDA

Motion to approve Agenda. Motion carried.

CONSENT AGENDA

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

BOARD MINUTES

Motion to defer Minutes to July 29, 2022. Motion carried.

EDUCATION APPEARANCES

Limestone University: Dr. Amber Williams appeared before the Board representing Limestone University in regards to their request to offer a new Bachelor of Science in Nursing Program. The Program submitted a Feasibility Study and Nurse Education Consultant, Peter Kubas with the Survey Team found that the study meets the requirements found in South Carolina Regulation 91-5 and recommends for approval for development. Dr. Williams stated that Limestone University is located in Gaffney, South Carolina and was established in 1845. She further stated that there is a severe deficit of nurses in the very small county where the University is located. Dr. Williams reviewed how the Program will be established with two years of prerequisites with the clinical cohort to begin by fall 2024 with 16 students.

The University currently has an RN to BSN Program that is already accredited with adjunct faculty. Dr. Williams stated that she plans to hire two full time faculty members as well as additional adjunct faculty. Dr. Williams stated that the Program has support from area hospitals for clinical sites.

Motion to approve the Feasibility Study. Motion carried.

Coker University: Dr. Carolyn Hart appeared before the Board representing Coker University in regards to their request to offer a new Masters Level Entry into Nursing Program. The Program was before the Advisory Committee on Nursing Education at their June 21, 2022 meeting. The ACONe is recommending approval of the Feasibility Study. Dr. Hart reviewed how the BSN Program and MSN Program will be combined so that the Entry Level Masters students will achieve the same outcomes of the BSN Program as well as the Masters in Nursing.

Motion to approve. Motion carried.

Coker University is additionally asking for a new Health Professional to BSN as an expansion of their current approved BSN Program to bring in individuals who have prior medical training, such as an EMT, a paramedic, etc. The request was before the Advisory Committee on Nursing Education in April and again in June. At the June 21, 2022 ACONe meeting, the Committee recommended approval. Dr. Hart stated that military veterans, military service members, paramedics, and LPNs who have reached the ceiling in their profession would have an opportunity to expand their career options. Dr. Hart stated that although the Program leverages students' prior education and they move through the Program at a faster pace, students still have to go to campus and demonstrate their skills and go through a practicum. Dr. Hart reviewed the research that she did, including information from National Council State Boards of Nursing to determine what the focus should be for each health

professional who enters the Program. Dr. Hart stated that the students in this Program will have the same outcomes as the traditional BSN Program and reviewed her plan to ensure it.

Motion to approve the request. Motion carried.

Arizona College of Nursing: Dr. Deboarah Long, Ms. Kristin Prokopas, and Dr. Mabel Smith appeared before the Board representing Arizona College of Nursing in regards to their request to offer a pre-licensure BSN Program in Greenville, South Carolina. The Program submitted a Feasibility Study and Nurse Education Consultant, Peter Kubas with the Survey Team found that the study meets the requirements found in South Carolina Regulation 91-5 and recommends for approval for development. Dr. Long reviewed the Feasibility Study materials with the Board.

Motion to approve. Motion carried.

Central Carolina Technical College: Dr. Samuel Geddings appeared before the Board representing Central Carolina Technical College in regards to their request to offer a pre-licensure Diploma in Applied Science Practical Nursing Program. The Program submitted a Feasibility Study and Nurse Education Consultant, Peter Kubas with the Survey Team found that the study meets the requirements found in South Carolina Regulation 91-5 and recommends for approval for development. Dr. Geddings stated the Central Carolina Technical College previously offered an LPN Program, but it closed in 2014 due to the lack of demand for LPNs in the area. Recently, the clinical partners have reached out due to the move to team nursing as well as the long term care facilities. Dr. Geddings reviewed the Program components already in place as well as plans to hire faculty once the Study is approved.

Motion to approve. Motion carried.

Ms. Swisher abstained from the vote in this matter.

CONSENT AGENDA ITEM DISCUSSION

Mr. Kubas discussed items that were included in the Consent Agenda that were related to education.

EDUCATION APPEARANCES CONTINUED

Liberty University: Dr. Tracey Turner and Ms. Shirley Lee appeared before the Board representing Liberty University in Lynchburg Virginia in regards to their request clinical experiences in South Carolina for their pre-licensure BSN Program. At the June 21, 2022 ACONe meeting, the Committee recommended approval after seeking clarification of the materials. Dr. Turner stated that Spartanburg Medical Center had attended a fair and met representatives from Liberty University and wanted Liberty students to be part of their organization. Dr. Turner further stated that there are approximately 700 students in the residential BSN Program, NCLEX scores for the past ten years have ranged between 90.5 and 98.3 with the latest full year of completion in 2021 at 95%, and that the Program has already been approved by the Virginia Board of Nursing to offer clinical experiences outside of their local offerings in Richmond, Virginia; Roanoke, Virginia; Rwanda; and Kenya. The Program is requesting to offer precepted, on-site, on-shift direct supervised clinical experiences to their residential BSN students at Spartanburg Medical Center's Church Street Campus.

Motion to approve the request. Motion carried.

NOMINATIONS

The Board added a position to the Nursing Practice and Standards Committee for a Forensic Nurse at their May 2022 meeting. The Board instructed staff to advertise the new position and seek applicants for the position. The position was advertised in the SC Nurse Publication and NPSC members were made aware of the new position and encouraged to reach out to anyone that they know who may be an appropriate candidate. Board Administrative Coordinator, Jennifer O'Shields, presented an applicant for the position to the Board. The Board met with Ms. Sabrina Gast in regards to her interest in the position as well as her education and experience in the field.

Motion to approve the nomination of Ms. Sabrina Gast to the Nursing Practice and Standards Committee. Motion carried.*

Ms. Kay Swisher was recused from this appearance and related Executive Session. Ms. Swisher rejoined the meeting at the conclusion of the appearance.

The Advisory Committee on Nursing Education has two open positions for BSN educators. The vacancies were published in the SC Nurse Publication and current ACONe members were encouraged to reach out to anyone that they know who may be an appropriate candidate.

Motion to approve Dr. Karen Worthy and Dr. Joann Kuehn to the Advisory Committee on Nursing Education. Motion carried.*

NATIONAL PRACTITIONER DATABANK

The Office of Investigations and Enforcement sought feedback from the Board regarding investigations that initiate as a result of a report from the National Practitioner Databank.

Motion to accept the NPDB Process as stated with the addition of the Chief Investigator or his/her designee to the Review Committee. The Board requests a copy of the report of Dismissals and LOCs to be presented to the Board. The sitting Vice-Chair will be the Board Member representative for this process. Motion carried.

JURISPRUDENCE EXAM

The Board sought legal advice from their attorney during Executive Session regarding the Jurisprudence Exam that has been drafted for their review.

Motion to not move forward with the Jurisprudence Exam. 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 29 Dismissals. Motion carried.

Motion to approve 29 Formal Complaints. Motion carried.

Motion to approve 15 Letters of Caution with amendments as noted. Motion carried.

Mr. Sanders further presented the Statistical Report.

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.

2020-431: The 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 and issue a private reprimand and continuance of terms and conditions known to the Respondent as well as the Board and to lift the suspension. 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.

2020-137: 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 approve the Final Order Hearing Recommendation with issuance of a public reprimand. 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.

2020-243: 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 a violation of 40-33-110 (A) (4) and 40-1-110 (1) (f) with issuance of a private reprimand, and investigative costs of \$100, as well as other terms and conditions known to the Respondent and the Board.*

2018-39: 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 dismiss the case. Motion carried.

2021-187: The 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 disciplinary sanctions: public reprimand; civil penalty in the amount of \$1,000 due within six months of the date of the order; investigative costs of \$543.92 due within six months of the date of the order; and completion of the following courses: Legal Aspects of Nursing and Professional Ethics, also due within six months of the date of the order. Motion carried.*

2020-238: 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 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.

2020-226: 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 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.

2022-61: The 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 and Stipulations with issuance of a private reprimand; investigative costs of \$60; and a civil penalty in the amount of \$500 to be paid within six months of the date of the Order. Motion carried.*

Motion to adjourn for the evening at 4:53 p.m.

FRIDAY, JULY 29, 2022

CALL TO ORDER

Ms. Todd called the meeting to order at 8:32 a.m. on Friday, July 29, 2022. It is noted that a quorum was present at all times.

EXCUSED ABSENCES

Motion to excuse Lindsey Mitcham. Motion carried.

BOARD MINUTES

Motion to approve the May 2022 Minutes with changes noted. Motion carried.

FINANCE PRESENTATION

Director Emily Farr, Mr. Patrick Jarvis, and Ms. Lauren Wright appeared before the Board to provide and update on the Board's finances and fees.

ADMINISTRATOR'S REPORT

Board Administrator, Carol Moody, provided a statistical update. Ms. Moody states that the decrease in the number of licensees as a result of the 2022 renewal was less than 5,000 with current licensees the number of licensees dropping to around 85,000 post renewal but with recent graduations and endorsement applications since the end of the renewal cycle the current number of licensees is 87,058. There are currently 39 active Graduate Nurse Temporary Licenses, 28 are graduates of an RN program and 11 are graduates of an LPN program. Those licenses will convert to permanent licenses upon successful completion of the NCLEX. Should the graduate not be successful the first time taking the NCLEX, the license will be inactivated until successful completion of the NCLEX and the permanent license issued at that time. The current number of LPNs is 11,624. There has been a slight decrease in the number of RN licensees at 66,085, with some of that being attributed to the growth in the APRN community. The current number of APRNs is 9,310. The remaining Board vacancies are an RN for District 6 and another LPN At-Large. Ms. Moody provided an update on Board staff. Ms. Moody then provided an update on the Nurse Licensure Compact. Ms. Moody discussed the 2022 Renewal cycle and the post-renewal meetings that have occurred internally among staff and with IT in an effort to continuously improve the process for licensees with more than 90% renewing online in 2022. Ms. Moody then discussed the meetings with the Recovering Professionals Program and the South Carolina Nurse's Association regarding PAPIN, which is the peer support group for recovering nurses. Ms. Moody then highlighted continuing education courses that are available for Board Members through the National Council State Boards of Nursing related to regulation.

PRACTICE CONSULTANT REPORT

Nurse Practice Consultant, Dr. Mindy Carithers, appeared before the Board to present Advisory Opinions that were reviewed by the Nursing Practice and Standards Committee. The following Advisory Opinions were reviewed with no suggested changes: 3, 26, and 73. The only recommendation for Advisory Opinion #10 is editorial. The Committee also recommended additional language be added to Advisory Opinion #36 regarding the inclusion of the Sexual Assault Nurse Examiner Education Guidelines as well as specimen identification and documentation and procedures for individuals less than 18 years of age.

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

CHAIRPERSON'S REPORT

Board Chairperson, Sallie Beth Todd, presented her Chairperson's Report. Ms. Todd discussed the annual NCSBN meeting in Chicago in August. Ms. Todd discussed APRN delegation to the CMA and the e-blast and addendum that have been sent to all APRNs and posted as an alert on the Board's website. Ms. Todd requested that the Board review all Committee By-Laws at the September meeting and requested that Board members review the By-Laws in advance of the meeting. Ms. Todd and Ms. Flannery reviewed the legislation review that is required in 2023 and sought input from the Board regarding how that should take place.

Motion to request the Advisory Committee on Nursing Education review Chapter 19 and provide any suggested changes to the Board by the January 2023 Board meeting.

EDUCATION REPORT

Nurse Education Consultant, Peter Kubas, appeared before the Board to provide an update on school surveys and the schools that are in the process of beginning programs.

APPLICATION/COMPLIANCE APPEARANCES:

Applicant One: An applicant for licensure as an RN via Reinstatement appeared before the Board.

Motion to reinstate licensure with release from the 2005 Consent Order contingent upon terms and conditions known to the Applicant and the Board. 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.

2013-34: 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 dismissal of the Formal Complaint. Motion carried.*

2021-324: The 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 an indefinite suspension until the Respondent is compliant with terms and conditions known to the Respondent and the Board and \$200 Investigative Cost to be paid within six months of the date of the Order. Motion carried.*

2019-569: 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 Final Order Hearing Recommendation. Motion carried.

Motion to adjourn at 12:38 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.*