



South Carolina Board of Nursing

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NOVEMBER 16, 2023 MEETING MINUTES

Samuel McNutt, Chairperson of the South Carolina State Board of Nursing, called the November 2023 meeting to order at 9:01 a.m. on November 16, 2023. 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		BOARD 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	
Tamara K. Day, LPN	At-Large, LPN	Present	
Robert J. Wolff, PhD	Board of Nursing Secretary Public Member	Present	
Lindsey Mitchum	Public Member	Present	
Vacancy	6 th Congressional District	Vacant	
Vacancy	7 th Congressional District	Vacant	
Vacancy	At-Large, LPN	Vacant	

Carol Moody, Board Executive, Board of Nursing	LLR STAFF PRESENT
Megan Flannery, Advice Counsel for the Board of Nursing	
Shannon Stricklin, Board of Nursing Staff	
Mindy Carithers, Nurse Practice Consultant & Compliance Manager, Board of Nursing	
Peter Kubas, Nurse Education Consultant, Board of Nursing	
Jennifer Mitchell, Board of Nursing Administrative Coordinator	
Tina Brown, Assistant Disciplinary Counsel	
Shelby Sutusky, Assistant Disciplinary Counsel	
Donnell Jennings, Chief, Office of Investigations and Enforcement	
Jenna Smith, Office of Investigations and Enforcement	
Tina Behles, Court Reporter	

EXCUSED ABSENCES

All Board Members are present. No motion made.

APPROVAL OF AGENDA

Motion to approve Agenda with the addition of election of 2024 Board Officers. Motion carried.

CONSENT AGENDA

Motion to approve the Consent Agenda. Motion carried.

BOARD MINUTES

Motion to defer Minutes. Motion carried.

OFFICE OF INVESTIGATIONS AND ENFORCEMENT:

Lead Investigator Bianca Smith presented the Investigative Review Committee Report for approval.
Conducted in Closed Session.

Motion to approve 44 Dismissals. Motion carried.

Motion to approve 41 Formal Complaints. Motion carried.

Motion to approve 7 Letters of Caution. Motion carried.

Ms. Smith then presented the Statistical Report.

Mr. Jennings then provided an update on OIE staff and organization.

EDUCATION APPEARANCES

Limestone University Bachelor of Science in Nursing Program: Dr. Amber Williams appeared before the Board representing Limestone University's Bachelor of Science in Nursing Program in response to their request for initial approval status. The Program submitted a Self-Study and members of the Site Visit team including Nurse Education Consultant, Peter Kubas, surveyed the Program on September 21, 2023. Mr. Kubas stated that most of the findings were corrected while the team was still on site. At their October 2023 meeting, the Advisory Committee on Nursing Education (ACONE) recommended approval. Dr. Williams stated that the Program is seeking approval for 24 students, but plans to admit 16. Dr. Williams further stated that since the Site Visit, other issues outlined have been remedied with the exception of continuing work on course creations and syllabi as the Program prepares.

Motion to grant the request for initial approval for the Limestone University Bachelor of Science in Nursing Program. Motion carried.

Herzing University Masters of Science in Nursing Direct Entry Program: Dr. Stephanie Black appeared before the Board representing Herzing University's Masters of Science in Nursing Direct Entry Program in regards to their request to conduct pre-licensure clinical experiences in South Carolina. At their October 2023 meeting, the ACONe recommended approval. Dr. Black stated that students in the Program have at least a Bachelor's Degree. Students take pre-licensure cores nursing courses along with prerequisites for the Nursing program that they may not have from their previous degrees along with Master's level courses. Dr. Black further states that students are prepared with an MSN Generalist Nursing Degree and leave the Program ready for the NCLEX and RN licensure. Dr. Black shared that MSN students use the same clinical experiences that were previously approved for the BSN students beginning the Summer 2023 semester, as students in both Programs are at the same pre-licensure level. The Board inquired as to how many BSN students are currently conducting clinical experiences at Spartanburg Regional and Dr. Black shared that are ten BSN students in placement throughout those sites and that they are seeking placement for ten MSN students coming into the Program.

Motion to approve Herzing University to offer clinical experiences in South Carolina for their Direct Entry MSN Program. Motion carried.

BOARD EXECUTIVE REPORT

Board Executive, Carol Moody, provided a statistical update as well as information about the upcoming 2024 licensure renewal. Ms. Moody then provided an update on Board vacancies and reappointments as well as an update on Board staff. Ms. Moody discussed the Nurse Licensure Compact (NLC) and APRN Compact updates. Board staff then discussed updates to the website. Ms. Moody then requested that the Board elect officers for 2024.

Motion to elect Samuel McNutt as Vice-Chair, Sallie Beth Todd as Chair, and Tamara Day as Secretary for 2024. Motion carried.

PRACTICE REPORT

Nurse Practice Consultant, Dr. Mindy Carithers, provided an update from the Nursing Practice and Standards Committee (NPSC).

Dr. Carithers presented the recommended revisions to AO 74.

Motion to approve AO #74. Motion carried.

Dr. Carithers then presented the delegation algorithm created to address delegation questions that do not involve unlicensed assistive personnel. The Board provided feedback on the document. No further motions were made.

ADVICE COUNSEL REPORT

Advice Counsel for the Board, Megan Flannery, discussed revisions to Advisory Opinion 39 regarding dermal fillers. Ms. Flannery drafted the changes and presented the revised document to the NPSC, which has recommended approval. The NPSC also plans to thoroughly review all parts of the AO in 2024 as part of their normal review cycle to address any changes in the field that have occurred since their last review.

Motion to approve revisions to AO 39 with changes as noted. Motion carried.

The Board later went into Closed Session to discuss procedural issues with RPP Administrative staff. No motions were made at that time.

APPLICATION/COMPLIANCE APPEARANCES:

Tiara De Luca: Motion to approve licensure with compliance with terms and conditions known to 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.

2020-418: Respondent appeared before the Board having submitted a request to modify a previous Board Order.

Motion to grant the request. Motion carried.*

2022-416: 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: issuance of a private reprimand; investigative costs of \$20 payable within six months of the date of the Order; and completion of the following disciplinary courses: Anger Management four hour course and the Upholding the Standard Professional Accountability in Nursing course. Motion carried.*

Dr. Wolff left the meeting at the conclusion of the hearing. A quorum remained at all times.

2009-354: Respondent appeared before the Board having submitted a request to modify a previous Board Order.

Motion to grant the request. Motion carried.*

2020-79 & 2020-589: The Respondent was before the Board for a Final Order Hearing and was previously before the Board of Nursing Hearing Panel. A report has been issued by the Hearing Panel with recommendations regarding violations of the Nurse Practice Act and disciplinary sanction. 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 recommendation for 2020-79 and to adopt the panel's finding of violations for 2020-79 with issuance of a private reprimand and the coursework listed. Motion carried.*

Ms. Swisher was recused from this appearance and returned to the meeting upon completion of this appearance.

2021-596: 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 without disciplinary sanctions with the terms and conditions known to the Respondent and the Board. Motion carried.*

WAIVED FINAL ORDER HEARING REPORT:

Respondents were previously before the Board's Hearing 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.

2020-585: Motion to accept the Final Order Hearing Recommendation. Motion carried.

2022-83: Motion to accept the Final Order Hearing Recommendation. Motion carried.

2019-495: Motion to accept the Final Order Hearing Recommendation. Motion carried.

2021-320: Motion to accept the Final Order Hearing Recommendation. Motion carried.

2021-351: Motion to accept the Final Order Hearing Recommendation. Motion carried.

Motion to adjourn at 12:50 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.*