



**South Carolina Board of Nursing**

110 Centerview Dr. • Columbia • SC • 29210

P.O. Box 12367 • Columbia • SC 29211-2367

Phone: 803-896-4550 • NURSEBOARD@llr.sc.gov • Fax: 803-896-4515

llr.sc.gov/nurse

**SEPTEMBER 28-29, 2023 MEETING MINUTES**

Samuel McNutt, Chairperson of the South Carolina State Board of Nursing, called the September 2023 meeting to order at 8:34 a.m. on September 28, 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 <sup>st</sup> Congressional District	Present	
Rebecca Morrison, APRN, MSN, FNP-BC	2 <sup>nd</sup> Congressional District	Excused	
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	Present	
Samuel McNutt, RN, CRNA, MHSA	Board of Nursing Vice- Chair 5 <sup>th</sup> Congressional District	Present	
Tamara K. Day, LPN	At-Large, LPN	09/28-Present 09/29- Excused	
Robert J. Wolff, PhD	Board of Nursing Secretary Public Member	Present	
Lindsey Mitchum	Public Member	Present	
Vacancy	6 <sup>th</sup> Congressional District	Vacant	
Vacancy	7 <sup>th</sup> 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	
Bob Horner, Chief Advice Counsel	
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**

Motion to excuse Rebecca Morrison. Motion carried.

**APPROVAL OF AGENDA**

Motion to approve Agenda. Motion carried.

**CONSENT AGENDA**

Motion to approve the Consent Agenda. Motion carried.

## **BOARD MINUTES**

Motion to defer Minutes until September 29th. Motion carried.

### **EDUCATION APPEARANCES**

**Chamberlin University:** Dr. Patricia Hughes appeared before the Board representing Chamberlin University's Bachelor of Science in Nursing Program in response to their request to conduct clinical experiences in South Carolina. The Program was previously before the Advisory Committee on Nursing Education (ACONE) at their August 2023 meeting. The ACONe voted to recommend approval at that time. The Program is accredited through CCNE through December 2024. Dr. Hughes stated that the school began in 1889 as a training program of healthcare services. Dr. Hughes reviewed the technology and tools available to students who participate in the Program virtually and shared that the Program is currently offered in 20 other states. The Board inquired about the Program's NCLEX scores being below the national average and Dr. Hughes discussed hardships that those students experienced due to the pandemic and the changes that had been implemented to better support those students.

Motion to approve Chamberlin University's BSN Online Program to offer clinical experiences in South Carolina. Motion carried.

**Marion County School of Practical Nursing:** Misty Owens appeared before the Board representing the Marion School of Practical Nursing in response to their request for an exception to Chapter 91 faculty requirements. The Program has previously been before the Board for a number of years requesting the use of the same ADN Registered Nurse as an adjunct clinical faculty. Ms. Owens states that the Program continues to advertise the vacancy, the most recently for a period of four months with a salary increase, and has received no applicants. The Board inquired about the faculty's student evaluations and Ms. Owens shared that adjunct faculty is evaluated every quarter and that her evaluations have always been amazing and that the students love her and have had no complaints at all.

Motion to approve the request for the next year. Motion carried.

**ECPI University North Charleston Campus Practical Nursing Program:** Dr. Heather Rawson appeared before the Board representing ECPI University's North Charleston Campus Practical Nursing Program in response to their request for continued Full Board Approval status. The Program was previously before the Board at their September 2017 meeting at which time the Board granted the Program full approval for five years. The Board's site survey team visited the Program for a survey in January 2023. The Program was then before the ACONe at their August 2023 meeting, at which time the ACONe voted to recommend continued full approval status. The Program is not nationally accredited at this time. Dr. Rawson stated that clinical instructor for the pediatric clinicals was updated and shared additional clinical facilities that have been added since the site visit. The Board clarified that the Program now has a clinical instructor at each site with one on eight or ten with the students and Dr. Rawson confirmed.

Motion to approve ECPI's North Charleston Campus Practical Nursing Program for continued full approval status.

*Ms. Mitcham abstained from voting.*

**University of South Carolina Masters Entry to Practice Nursing Program:** Dr. Jeannette Andrews and Dr. Ebony Harris appeared before the Board representing the University of South Carolina's Masters Entry to Practice Nursing Program in response to their request for Full Board Approval Status. Per South Carolina Regulation 91-5 (G) a nursing program must make application for full approval within six months following the taking of the NCLEX by the first graduating class. The Program submitted a self-study for its initial post-NCLEX site survey, in accordance with Regulation 91-11. The Board's site survey team visited the Program for a survey in June 2023. The Program was then before the ACONe at their August 2023 meeting, at which time the ACONe voted to recommend Full Board Approval Status. The Program's NCLEX pass rate for 2022 is 100 percent. Dr. Harris shared that the Program was started in response to a request from their partners at Prisma to continue to address the nursing shortage and bringing in new graduates. Dr. Harris then provided information about the students and the leadership roles that they hold.

Motion to approve the University of South Carolina Masters Entry to Nursing Program for Full Board Approval Status. Motion carried.

**Orangeburg Calhoun Technical College Associate Degree in Nursing Program:** Dr. Melissa Black, Ms. Williette Waring Berry, and Ms. Susan Chavis appeared before the Board representing Orangeburg Calhoun Technical College's Associate Degree in Nursing Program in response to an Order to reappear before the Board regarding deficient NCLEX scores. The Program was previously before the Board at their January 2022 meeting for deficient 2021 NCLEX scores. The Board accepted the information presented at that time. The Program was before the Board again in March 2023, this time in response to a citation for deficient 2022 NCLEX scores. The Board again accepted the information as presented and Ordered a reappearance before the Board in September 2023. The Program currently has Full Board Approval Status. The Program is accredited through Spring 2027 by ACEN. Dr. Black shared the changes that have been implemented since the last appearance including admitting students once a year for the Fall semester, elimination of the Transition Program, and curriculum changes. In addition, Dr. Black stated that the Pharmacology class was previously offered once in the beginning of the Program, but is now offered twice with the additional course during the ten-week Summer term. Further Dr. Black stated that the Med Surg class will occur during the ten-week Summer term as the only course offered with the Pharmacology class. Dr. Black discussed the use of ATI and HESI for testing preparations and the admissions criteria. Dr. Black then shared the student-centered focus of the Program and the additional adjunct faculty to help with clinicals to keep full-time faculty more in the classroom and the hiring of a full-time Student Success Coach to monitor students and address needs whether academic, financial, or personal. Additionally, Dr. Black discussed faculty participation in a program to advance their teaching skills through the Association of College and University Educators to become certified as a Master Instructor.

Motion to accept the information presented with a return before the Board at their September 2024 Board Meeting. Motion carried.\*

**University of South Carolina Beaufort Bachelor of Science in Nursing Program:** Dr. Lynne Hutchison and Dr. Christina Beall appeared before the Board representing the University of South Carolina Beaufort's Bachelor of Science in Nursing Program in response to an Order to reappear before the Board regarding deficient NCLEX scores. The Program was previously before the Board at their September 2020 meeting in response to a citation for deficient 2019 NCLEX scores. The Board accepted the information presented at that time and Ordered a reappearance at the January 2021 meeting. The Program was also cited for deficient NCLEX scores for 2020. During the Program's reappearance at the January 2021 meeting, the Program was downgraded to Conditional Board Approval Status and Ordered to return before the Board at their September 2021 meeting. At their September 2021 meeting, the Board Ordered that the Program remain in Conditional Board Approval Status with a reappearance before the Board at their September 2023 meeting. The Program is nationally accredited through CCNE through June 2024. At the time of their appearance before the Board, 38 of 39 students who had taken the NCLEX for the first time in 2023 successfully

passed, for a year to date pass rate of 97.44%. Dr. Hutchison stated that at the time of their appearance in 2019, the Program was in the process of a curriculum revision. The first cohort of students for that revision graduated in 2022. Dr. Hutchison attributed the increased scores to the Corrective Action Plan, the support of their university, and the financial support that allowed for significant changes, as well as the hiring of qualified and experienced faculty and further stated that the stability in the faculty made a significant difference and improvement in student learning outcomes.

Motion to move the University of South Carolina Beaufort Bachelor of Science in Nursing Program from conditional to full Board approval status. Motion carried.\*

**Horry-Georgetown Technical College Associate Degree in Nursing Program:** Ms. Ann Daniels and Ms. Stephanie Beck appeared before the Board representing Horry-Georgetown Technical College's Associate Degree in Nursing Program in response to an Order to reappear before the Board regarding deficient NCLEX scores. The Program was previously before the Board as a result for a citation for deficient NCLEX Scores in 2018. At the time of that appearance the Board accepted the information as presented and ordered a reappearance at their January 2020 meeting. The Program was issued a citation for deficient 2019 NCLEX scores in January 2020. The Program was before the Board again at their January 2020 meeting at which time the Board ordered a downgrade from full approval status to conditional approval with a reappearance at the January 2021 meeting. At the January 2021 meeting, the Program was ordered to remain in conditional approval status with a reappearance at the September 2021 Board meeting. The Program was before the Board again in September 2021 and were again ordered to remain in conditional status with a reappearance before the Board in September 2022. At the September 2022 meeting, the Board ordered the Program to remain in conditional approval status with a reappearance in September 2023. The Program is nationally accredited by ACEN. At the time of their appearance before the Board, 98 of 100 students who had taken the NCLEX for the first time in 2023 successfully passed, for a year to date pass rate of 98%. Ms. Daniels stated that there are now two Department Chairs with Stephanie Beck as Chair for the AND Program and Dr. Sheila Locklair as Chair for the PN Program in order to have leadership to focus on each program. Ms. Daniels and Ms. Beck reviewed the Program's improvement plan and provided updates since the last appearance.

Motion to move Horry-Georgetown Technical College's Associate Degree in Nursing Program from conditional to full Board approval status. Motion carried.\*

**Horry-Georgetown Technical College Practical Nursing Program:** Ms. Ann Daniels and Ms. Stephanie Beck appeared before the Board representing Horry-Georgetown Technical College's Practical Nursing Program. Ms. Daniels noted that Dr. Sheila Locklair was unavailable because she is an ACEN Peer Evaluator and is in another state for a Site Visit. The Program was before the Board in January 2020 as a result of a citation for deficient 2019 NCLEX scores. The Board accepted their plan as presented at that time, ordered a downgrade from full to conditional Board approval status, and ordered a reappearance in January 2021. The Program was cited in January 2021 for deficient 2020 NCLEX scores. At their January 2021 meeting, the Board ordered that the Program remain in conditional status and ordered a reappearance at their September 2021 meeting. At that time the Board ordered the Program to remain in conditional approval status with a reappearance at their September 2022 meeting. In September 2022 the Board again ordered continued conditional approval status with a reappearance in September 2023. The Program is nationally accredited through ACEN. At the time of their appearance before the Board, 22 of 22 students who had taken the NCLEX for the first time in 2023 successfully passed, for a year to date pass rate of 100%. Ms. Daniels and Ms. Beck reviewed the Program's improvement plan and provided updates since the last appearance.

Motion to move Horry-Georgetown Technical College's Practical Nursing Program from conditional to full Board approval status. 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.

**2017-403:** The licensee appeared before the Board as the result of a request to modify a previous Board Order.

Motion to grant the request to change the Order previously issued by the Board from public to private. Motion carried.\*

*Bob Horner was Advice Counsel for this appearance. Ms. Flannery returned to the meeting upon completion of this appearance.*

**2022-425:** Respondent appeared before the Board having previously executed a Memorandum of Agreement for the purpose of determining disciplinary sanction.

Motion to accept the Memorandum of Agreement with the following sanctions: issuance of a private reprimand and investigative costs of \$25 due within six months of the date of Order. Motion carried.\*

**2021-474:** Respondent appeared before the Board having previously executed a Memorandum of Agreement for the purpose of determining disciplinary sanction.

Motion to accept the Memorandum of Agreement with the following sanctions: issuance of a public reprimand; completion of the following courses: Ethics and Professionalism in Nursing, Legal Aspects, and Nursing Ethics Fundamentals; and \$400 civil penalty all due within six months of the date of the Order. Motion carried.\*

**2022-151:** Respondent appeared before the Board having previously 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 public reprimand; completion of a course as assigned; \$300 investigation costs; and other terms and conditions known to the Licensee and the Board with the course to be completed and the costs to be paid within six months of the date of the Order. Motion carried.\*

(Note for Ms. Flannery and Board Members- the course assigned has a title referencing substance abuse so I did not include the name of the course in the Minutes. Please let me know if it should be added and of course this note will be removed in the Approved version of the Minutes)

**2021-349:** 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 Hearing Panel Recommendation. Motion carried.\*

**2021-571:** This case 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. 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 Hearing Panel Recommendation. Motion carried.

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

**2021-63:** This case 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. 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 Hearing Panel Recommendation. Motion carried.

**2021-130:** The licensee appeared before the Board as the result of a request to modify a previous Board Order.

Motion to grant the request with all other sanctions remaining. Motion carried.\*

**2021-216:** This case 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. 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 Hearing Panel Recommendation. Motion carried.

**2022-171:** This case 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. 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 Hearing Panel Recommendation. Motion carried.

**2021-239:** This case 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. 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 Hearing Panel Recommendation. Motion carried.

**2020-581 & 2020-745:** Respondent appeared before the Board having previously 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 public reprimand; payment of investigative costs of \$375 within six months of the date of the Order; and other terms and conditions known to the Respondent and the Board.

Motion carried.\*

**2021-449:** Respondent appeared before the Board having previously 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.\*

**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 for the evening at 4:04 p.m.

FRIDAY, SEPTEMBER 29, 2023

**CALL TO ORDER**

Mr. McNutt called the meeting to order at 8:30 a.m. on Friday, September 29, 2023. It is noted that a quorum was present at all times.

**EXCUSED ABSENCES**

Motion to excuse Ms. Rebecca Morrison and Ms. Tamara Day. Motion carried.

**MEETING MINUTES**

Motion to accept the July 2023 Minutes with changes noted. 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 9 Dismissals. Motion carried.

Motion to approve 10 Formal Complaints. Motion carried.

Motion to approve 4 Letters of Caution. Motion carried.

Mr. Sanders then presented the Statistical Report.

**OFFICE FOR HEALTHCARE WORKFORCE**

Ms. Katie Gaul appeared before the Board to provide information about the Nursing workforce in South Carolina.

Motion to accept the information presented. Motion carried.\*

**UNIVERSITY OF SOUTH CAROLINA SCHOOL OF NURSING**

Dr. Pamela Wright appeared before the Board to request dissemination of a survey to licensees through email.

Motion to deny the request. Motion carried.\*

**APPLICATION/COMPLIANCE APPEARANCES:**

**Ezekial Fajardo:** Motion to grant the modification request in part as noted. Motion carried.\*

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

**Nicole Herzberger:** Motion to grant the request with compliance with terms and conditions known to the Licensee and the Board. Motion carried.\*

**Krystal Nabors:** Motion to grant the request with compliance with terms and conditions known to the Licensee and the Board. Motion carried.\*

**Amy Redd:** Motion to accept the recommendation. Motion carried.\*



### **BOARD EXECUTIVE'S REPORT**

Board Executive, Carol Moody, provided a statistical update as well as an update on Board vacancies and reappointments. Ms. Moody then provided an update on Board staff. Ms. Moody discussed the Nurse Licensure Compact (NLC) and APRN Compact updates. Ms. Moody discussed preparations for the 2024 licensure renewals and provided an update on the 2022 Audit. All licensees audited responded and successfully passed the audit.

The Board then reviewed nominations.

Motion to appoint Dr. Simona Parvulescu-Codrea to the Hearing Panel. Motion carried.

Motion to approve Dwayne Alleyne to the ACONE. Motion carried.

The Board reviewed proposed meeting dates for 2024.

Motion to approve the proposed 2024 meeting dates. Motion carried.

Ms. Todd and Dr. Wolff then provided information about the latest National Council of State Boards of Nursing meeting which both attended along with Ms. Moody.

### **ADVICE COUNSEL REPORT**

Advice Counsel for the Board, Megan Flannery, discussed the Bylaws.

Motion to approve the NPSC and ACONE Bylaws as revised. Motion carried.

Motion to adjourn at 1:27 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.*