



South Carolina Department of Labor, Licensing and Regulation

**South Carolina Board of Nursing**

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**JANUARY 25-26, 2024 MEETING MINUTES**

Samuel McNutt, Vice-Chairperson of the South Carolina State Board of Nursing, called the January 2024 meeting to order at 8:31 a.m. on January 25, 2024. 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 <sup>st</sup> Congressional District	Present	
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	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	Present	
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	
Peter Kubas, Nurse Education Consultant	
Mindy Carithers, Nurse Practice Consultant & Compliance Manager	
Jennifer Mitchell, Board of Nursing Administrative Coordinator	
Tina Brown, Assistant Disciplinary Counsel	
Donnell Jennings, Chief, Office of Investigations & Enforcement	
Bianca Smith, Lead Investigator	
Ashley East, Lead Investigator	
Tina Behles, Court Reporter	

**EXCUSED ABSENCES**

Motion to excuse Sallie Beth Todd. No motion made.

**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 Minutes. Motion carried.

## **EDUCATION APPEARANCES**

**Coastal Carolina University Bachelor of Science in Nursing:** Dr. Wanda Dooley, Dr. Susan Montenery, and Dr. Martha Eddings appeared before the Board representing Coastal Carolina University's Bachelor of Science in Nursing Program in regards to their request for initial approval. The Program was previously before the Board for approval of their Feasibility Study. The Program has submitted a Self-Study in accordance with Regulation and the Board's site survey team visited the Program for a survey in October 2023. The Program was then before the Advisory Committee on Nursing Education (ACONE) at their December meeting, at which time the ACONe voted to recommend approval. Dr. Dooley stated that Coastal Carolina University started an RN to BSN Program in 2011 which has been fully accredited with ACEN since 2012. Dr. Dooley further stated that ACEN does not differentiate between pre-licensure, post-licensure, etc., requiring all Baccalaureate Programs to meet the same standards so the BSN Program is already fully accredited. The Board inquired about information from the Site Survey regarding agreements being incomplete and Dr. Dooley stated that several agreements were completed at the time of the site visit, with several more completed since. Dr. Dooley then explained that because the Program plans to begin with a small number of students, the Program has more clinical agreements than needed to start. The Board then inquired about the pre-requisite sciences.

Motion to approve Coastal Carolina's BSN Program for Initial Board approval. Motion carried.

**Central Carolina Technical College Practical Nursing:** Ms. Taylor DuBose and Dr. Vicki Martin appeared before the Board representing Central Carolina Technical College's Practical Nursing Program in regards to their request for initial approval. The Program was previously before the Board for approval of their Feasibility Study. The Program has submitted a Self-Study in accordance with Regulation and the Board's site survey team visited the Program for a survey in October 2023. The Program was then before the ACONe at their December 2023 meeting, at which time the ACONe voted to recommend approval. Ms. DuBose stated that in 2014 the PN Program was closed but based on community needs and changes in nursing trends they are seeking to reopen. The Board sought clarity regarding admissions requirements.

Motion to approve Central Carolina Technical College LPN Program for Initial Board Approval. Motion carried.

**Denmark Technical College Practical Nursing:** Ms. Karen Myers and Ms. Tia Wright Richards appeared before the Board representing Denmark Technical College's Practical Nursing Program in response to a citation for deficient 2020, 2021, and 2022 NCLEX Scores. The Program was previously before the Board in May 2022, at which time the Board ordered a downgrade in approval status to Conditional Board Approval. The Program was again before the Board in January 2023, at which time the Board ordered continuation of the Conditional Board Approval status. The Board also ordered a return in July 2023 and verbalized a strong warning of concern. The Program was before the Board again in July 2023 at which time the Board accepted the information presented and ordered the Program to remain in Conditional Board Approval status with a return before the Board in January 2024. The Program does not have national accreditation. The NCLEX pass-rate for 2023 is 90.48%.

Ms. Myers stated that since 2021 NCLEX scores have improved from 30% to 90.48%. Ms. Myers further stated that the Program transitioned from Kaplan assessment to ATI assessment in 2022 and 2023 was the first year of full implementation with the phase out of Kaplan. Ms. Myers explained that the Program now uses the ATI TEAS Admission Assessment with a requirement of proficient to be admitted into the Program. Ms. Myers then reviewed things that the Program has done to assist students including: two-week Boot Camp at the culmination of the Program; 14-day remediation for students who do not score level 2 on their proctored assessments in ATI with those students then followed closely by an instructor; utilization of the Lippicott Passpoint which is adaptive testing with simulated exam experience and includes clinical remediation with individualized reporting; utilization of the nurse consultant to provides individualized tutoring outside of the tutoring that is provided by

Program staff; utilization of the whole ATI package including the Live Review, ATI Capstone, and virtual ATI; and the use of Nurse Logic and the Learning System 3.0 for remediation of students who were not successful on their ATI proctored assessments. Ms. Myers then stated that things look much better, students are happier, and that they are enjoying the experience. Ms. Myers states that the Program's plan for the future is to continue to improve to Full Board Approval status and then they will request a start date for their AND Program, which they are working on for their Self-Study and then the Program plans to seek ACEN Accreditation.

Ms. Myers then discussed the TEAS Entrance Exam to provide a breakdown of the TEAS Exam which includes a virtual video similar to an online course providing an explanation and the importance of the TEAS and a test breakdown. Ms. Myers stated that they also take that opportunity to tell them about the mobile app that they can use to prepare for the TEAS test. Ms. Myers further stated that they are in the final part which is where they add in student testimonials of how the virtual breakdown has helped improve their test taking and made them proficient on the TEAS test. The Board then inquired about test taking strategies and skills and Ms. Myers explained how that had been woven into various parts of the Program.

Motion to accept the information presented. The Program is to remain in Conditional Approval Status at this time with a return before the Board in September 2024. Motion carried.\*

**Northeastern Technical College Associates Degree in Nursing:** Ms. Hope Pigg and Dr. Robert Schultz appeared before the Board representing Northeastern Technical College's Associate Degree in Nursing Program in follow-up to previous appearances regarding deficient NCLEX scores. The Program was cited for deficient NCLEX Scores from 2017 through 2021. The Program was previously before the Board in January 2019, at which time the Board ordered a downgrade in approval status to Conditional Board Approval. The Program was again before the Board in January 2020, at which time the Board ordered continuation of the Conditional Board Approval status and completion of a Site Survey. The Board's site survey team visited the Program for a survey in February 2022. The Program then appeared before the Board in May 2022 at which time the Board ordered continued Conditional Board Approval status with a return before the Board in January 2023. At the January 2023 meeting, the Board commended Northeastern Technical College on their 95.6% pass rate and ordered the Program to remain in Conditional Board Approval status with a return before the Board in January 2024. The Program does not have national accreditation and the NCLEX pass-rate for 2023 is 88.89%.

Ms. Pigg discussed the changes that have been implemented over the years and the impact on the NCLEX scores. She also discussed the two students from the prior year cohort that were unsuccessful on the first attempt taking the NCLEX and the steps that the Program took to try to remediate them for testing. Ms. Pigg then discussed plans to continue to improve going forward and requested that the Board consider placing them in Full Board Approval status. The Board praised the Program for their success and Ms. Pigg for all the work that she has done over the years to improve the Program.

Motion to move Northeastern Technical College's Associate Degree in Nursing Program from Conditional Board Approval status to Full Board Approval status. Motion carried.\*

### **DISCUSSION REGARDING NCLEX SCORES**

At the conclusion of the Education appearances, Nurse Education Consultant, Peter Kubas highlighted materials that were in the Consent Agenda regarding 2023 NCLEX scores. Mr. Kubas states that the pass-rate for first-time RN Exam test takers was 94.02, exceeding the national pass standard of 88.56 and distinguishing South Carolina as the fifth highest state in the nation.

Mr. Kubas highlighted the Programs that achieved 100% pass-rates, which are: Lander University's BSN Program, University of South Carolina's Masters Entry into Practice Program, Williamsburg Technical College's ADN Program, and York Technical College's ADN Program. Mr. Kubas then stated that five programs had only one applicant not pass the NCLEX on the first attempt.

Mr. Kubas then discussed the pass-rate for first-time PN Exam test takers and stated that it was 94.56% for 2023, exceeding the national standard of 86.68%. Mr. Kubas then highlighted the Programs that achieved 100% pass-rates, which are: Academy for Careers and Technology, Marion County School of Practical Nursing, Orangeburg-Calhoun Technical College, the Technical College of the Lowcountry for the sixth year in a row, Trident Technical College for the second year in a row, Williamsburg Technical College, and York Technical College.

### **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 upcoming NCSBN meetings. No motions were made.

### **PRACTICE REPORT**

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

Dr. Carithers presented the following Advisory Opinions, which have been reviewed with no changes recommended: AO #15, AO #16, AO #23, AO #24, AO #38, AO #40, AO #47, AO #49, AO #59, AO #71, and AO #74. Dr. Carithers also presented newly drafted AO #59-A.

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

Dr. Carithers had presented the Delegation Algorithm at a prior meeting and the NPSC is seeking clarification regarding the revisions requested by the Board. Dr. Carithers stated that the ANA principles that the Board had referenced have not been updated since 2012 and the NPSC was concerned that there have been practice updates over the years and that the document may not be viable for scope of practice in the current environment. The Board clarified the materials that were referenced in the feedback and the style of chart that they feel is most helpful and easiest to follow. No motion was made regarding the Delegation Algorithm.

### **ODC CASE REPORT**

Assistant Disciplinary Counsel, Tina Brown, then presented the ODC Case Report which is a listing of the number of pending cases. No motions were made.

### **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.

**2021-344:** 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.\*

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

**2019-354:** Respondent appeared before the Board having executed a Memorandum of Agreement for the purpose of determining disciplinary sanction.

The Memorandum of Agreement is withdrawn. No motions were made.

**2021-68:** 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, payment of investigative costs within six months of the date of the Order, and other terms and conditions known to the Respondent and the Board. Motion carried.\*

Motion to adjourn at 12:04 p.m.

FRIDAY, SEPTEMBER 29, 2023

**CALL TO ORDER**

Ms. Todd called the meeting to order at 8:32 a.m. on Friday, January 26, 2024. It is noted that a quorum was present at all times.

**EXCUSED ABSENCES**

Motion to excuse Mr. Sam McNutt. Motion carried.

**MEETING MINUTES**

Motion to approve the June 21, 2023 Minutes. Motion carried.  
Motion to approve the September 2023 Minutes. Motion carried.  
Motion to approve the November 2023 Minutes. Motion carried.

**OFFICE OF INVESTIGATIONS AND ENFORCEMENT:**

Lead Investigator Ashley East presented the Investigative Review Committee Report for approval.  
*Conducted in Closed Session.*

Motion to approve 33 Dismissals. Motion carried.

Motion to approve 31 Formal Complaints. Motion carried.

Motion to approve 7 Letters of Caution. Motion carried.

Ms. East then presented the Statistical Report.  
Mr. Jennings then provided an update on OIE staff.

**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.

**2013-02:** 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 the following disciplinary sanctions: issuance of a private reprimand. The Board also issued terms for reinstatement that are known by the Board and Respondent. Motion carried.\*

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

**APPLICATION/COMPLIANCE APPEARANCES:**

**Dionne Celeste Arnold:** Motion to deny licensure as the education does not meet the standards for South Carolina licensure. Motion carried.\*

**Caitlyn Lameira:** Motion to allow Applicant to take the NCLEX and move forward with the application process. Motion carried.\*

*Ms. Swisher left the meeting at the conclusion of this appearance.*

**Chandra Lamb:** Motion to grant request to modify prior order and to find that other terms and conditions have been met. Motion carried.\*

**Nicole Herzberger:** Motion to grant modification as noted with all other terms and conditions to remain active. Motion carried.\*

**WEBSITE REVIEW**

The Board discussed proposed updates to their website and Committee Application forms.

**REFRESHER PROGRAMS**

The Board requested that Board Staff review the listing of Board Approved Refresher Programs and provide an update at a future meeting.

Motion to adjourn at 2:06 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.*