



South Carolina Department of Labor, Licensing and Regulation

**South Carolina Board of Nursing**

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**MARCH 28-29, 2024 MEETING MINUTES**

Samuel McNutt, Vice Chairperson of the South Carolina State Board of Nursing, called the March 2024 meeting to order at 9:01 a.m. on March 28, 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                                 | 03/28/24-<br>Excused<br>03/29/24-<br>Present |                                    |
| Sallie Beth Todd, RN, MSN-Ed        | Board of Nursing Chair<br>4 <sup>th</sup> Congressional District       | Present As<br>Noted                          |                                    |
| Samuel McNutt, RN, CRNA, MHSA       | Board of Nursing Vice- Chair<br>5 <sup>th</sup> Congressional District | Present                                      |                                    |
| Bridget J. Holder, RN, DNP          | 6 <sup>th</sup> Congressional District                                 | Present                                      |                                    |
| Tamara K. Day, LPN                  | At-Large, LPN  | Present                                      |                                    |
| Robert J. Wolff, PhD                | Board of Nursing Secretary<br>Public Member                            | Present                                      |                                    |
| Lindsey Mitchum                     | Public Member  | Present                                      |                                    |
| 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         |                   |
| Tara Nixon, Office of Advice Counsel                            |                   |
| Peter Kubas, Nurse Education Consultant                         |                   |
| Mindy Carithers, Nurse Practice Consultant & Compliance Manager |                   |
| Tierra Sims, Office of Compliance                               |                   |
| Jennifer Mitchell, Board of Nursing Administrative Coordinator  |                   |
| Tina Brown, Assistant Disciplinary Counsel                      |                   |
| Sherri Butterbaugh, Assistant Disciplinary Counsel              |                   |
| Bianca Smith, Lead Investigator                                 |                   |
| Ashley East, Lead Investigator                                  |                   |
| Tina Behles, Court Reporter                                     |                   |

**EXCUSED ABSENCES**

Motion to excuse Kay Swisher and Sallie Beth Todd. 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 approve Minutes. Motion carried.

## **EDUCATION APPEARANCES**

**Piedmont Technical College:** Ms. Holly Davis appeared before the Board in response to their request for continued Full Board Approval status. The Program was previously before the Board in May 2019 at which time the Board granted full approval for five years. The Board's site survey team visited the Program for a survey in January 2024. The Program was then before the Advisory Committee on Nursing Education (ACONE) at their February 2024 meeting, at which time the ACONe voted to recommend approval. Ms. Davis stated that most of the findings were corrected at the time of the survey. The grading scale and syllabi have been corrected since the visit. Ms. Davis stated that since the recommendation regarding the duties of the administrator she has been working with a nursing consultant through time management and delegation as well as working to hire additional adjunct instructors.

Motion for continued Full Board Approval status. Motion carried.

**Horry-Georgetown Technical College:** Ms. Ann Daniels and Ms. Stephanie Beck appeared before the Board in response to a request from Horry Georgetown Technical College's Associate Degree in Nursing Program to expand their Program to the Murrells Inlet Campus. The Program was before the ACONe at their February 2024 meeting, at which time the ACONe voted to recommend approval of the request. The Program currently has Full Board Approval status and is nationally accredited through ACEN through Fall 2027. Ms. Daniels stated that courses are currently offered at the Grand Strand campus in Myrtle Beach as well as the location on Frazier Street in Georgetown, and the proposed additional location in Murrells Inlet centrally located between the two current campuses. Ms. Daniels further stated that the reason for the request is to increase accessibility for nursing education in underserved areas as well as to address the workforce shortages and that the request has support from the nursing faculty as well as their stakeholders. The Program is requesting a cohort of 48 students admitted once a year. Ms. Daniels provided letters of support from clinical sites including Tideland Health as well as a three-year budget for the nursing department to show the support from the community as well as the school. Ms. Beck will be the Program Administrator and discussed the faculty including 22 current faculty members with one open position currently in the interview process.

Motion to approve the additional location. Motion carried.

**Newberry College:** Dr. Jenny Lindler, Dr. Maurice Scherrens, Dr. Emily Livingston, Ms. Edwinna Hallman, Ms. Donna Elsenheimer, and Dr. Jerry Alewine appeared before the Board representing Newberry College's Bachelor of Science in Nursing Program in response to a citation for deficient NCLEX scores. The Program was previously before the Board in March 2023 for deficient 2022 NCLEX scores. At that time the Board accepted the information as presented. The Program was then cited for deficient 2023 NCLEX scores. The Program currently has Full Board Approval status and is nationally accredited through the CCNE through 2026. The Program prepared an Action Plan which was made available to the Board Members in advance of the meeting. Dr. Lindler referenced the plan throughout the appearance. Dr. Lindler reviewed some of the changes including migrating from the Hurst Review to the Archer review, which allows for adaptive testing. Dr. Lindler then discussed two new courses that are available to students prior to entrance to the Program which allows faculty to directly contact students before they enter nursing. Dr. Lindler then discussed the new faculty who joined the Program in Fall 2023. Dr. Lindler then discussed utilization of ATI. The Board inquired whether the Program was aware of the reason that students were unsuccessful the first time taking the NCLEX and Dr. Lindler stated that the feedback had been due to test-taking anxiety and stress. Dr. Lindler further stated that as a result a licensed therapist comes at the

beginning of every semester during boot camp for a test-taking anxiety seminar, and that ATI also has a test-taking skills and anxiety seminar which is incorporated into courses.

Motion to move Newberry College to Conditional Board Approval status with a return before the Board in September 2024. Motion carried.\*

**ECPI North Charleston Associate Degree in Nursing Program:** Dr. Jennifer Schillet and Mr. Matt Stein appeared before the Board representing ECPI North Charleston's Associate Degree in Nursing Program in response to a citation for deficient NCLEX scores. The Program was previously before the Board in March 2023 for deficient 2022 NCLEX scores. At that time the Board accepted the information as presented. The Program was then cited for deficient 2023 NCLEX scores. The Program currently has Full Board Approval status and is not nationally accredited at this time. The Program prepared an action plan which was made available to the Board Members in advance of the meeting. Dr. Schillet stated that the first quarter scores for 2023 were 59.52 which coincided with the Program's last appearance before the Board in March 2023. Dr. Schillet discussed parts of the action plan that have been incorporated since that appearance including management of at-risk students, which includes weekly meetings beginning in the first week after testing to determine if they are at risk or need extra tutoring or assistance. Dr. Schillet then discussed the mid-term evaluations and follow-up for students who score below 80%. Dr. Schillet further discussed faculty training on statistical analysis for tests and the implementation of a longer 10 week orientation for faculty, which includes 5 weeks of shadowing an experienced faculty member followed by 5 weeks of observation by an experienced faculty member to observe their teaching. Dr. Schillet explained how ATI had been incorporated into the curriculum including portions covering anxiety and test-taking as well as a live review during the last course to prepare students for the NCLEX. Dr. Schillet discussed the contact that she had with students who had been unsuccessful the first time taking the test and how that feedback was used. The Board inquired when the information about anxiety and test-taking had been incorporated and Dr. Schillet stated that it started in the second quarter of 2023.

Motion to move ECPI North Charleston ADN Program to Conditional Board Approval status with a return before the Board in September 2024. Motion carried.\*

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

**Tri-County Technical College Licensed Practical Nursing Program:** Ms. Jackie Rutledge, Dr. Ahmad Chaudhry, and Ms. Janet Fuller appeared before the Board representing Tri-County Technical College's Licensed Practical Nursing Program as follow-up to a prior request to establish an off-campus instructional site. The Program was previously before the Board regarding the request in March 2021, at which time the Board granted approval of the plan with the following stipulations: 1. Appearance before the Board within six months following the taking of the NCLEX by the first graduating class; 2. Documentation for the number of students admitted to the Program, the number of students who graduated, and the NCLEX pass rate for that cohort; 3. Ensure that the Program will be able to meet the Simulation Position Statement once reenacted by the Board. The pass-rate for 2023 is 100%. The Program currently has Full Board Approval status and is nationally accredited through ACEN until 2030. The Program had requested to offer courses at the Richard M. Campbell Nursing Home. Ms. Rutledge discussed the steps to open the Program once approval was received, which resulted in the first cohort being admitted in Fall 2022 and graduating in August 2023. Ms. Rutledge then discussed the first cohort which initially consisted of four students with one student moving out of the country prior to completing the Program. Ms. Rutledge further discussed the remaining three students, who passed the NCLEX on their first attempt with all three are currently working as LPNs at the Richard M. Campbell Nursing Home. The Board inquired about a current cohort and Ms. Rutledge stated that a second cohort consisting of six students started in January 2024. The Board then confirmed that the Program is able to meet the Simulation Position Statement,

which was reenacted by the Board since approval was granted, and Ms. Rutledge confirmed that the Program meets the requirements.

Motion to grant continued 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.

**2021-56:** 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 approve the Final Order Hearing Recommendation. Motion carried.

**2021-221:** 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 Recommendation of the Panel. Motion carried.

**2021-89 & 2021-319:** 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 Panel's Recommendation. Motion carried.

**2022-67:** 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 Panel Hearing Recommendation. Motion carried.

**2019-373 and 2021-132:** Motion to continue. Motion carried.

**2021-584:** 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 with single-state status license; payment of investigative costs within six months of the date of the Order; and other terms and conditions known to Respondent and the Board.\*

**2021-17:** 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 private reprimand; completion of two courses as outlined within six months of the date of the Order; and payment of investigative costs within six months of the date of the Order. Motion carried.

**2021-476:** 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 with single-state status license; completion of the courses as outlined within six months of the date of the Order; payment of investigative costs within six months of the date of the Order; and other terms and conditions known to Respondent and the Board. Motion carried.\*

*Ms. Todd joined the meeting during this appearance and abstained from voting as a result.*

**2021-522:** 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 private reprimand and payment of investigative costs within six months of the date of the Order. Motion carried.\*

**2023-455:** 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 a public reprimand with single-state license; completion of courses as outlined within six months of the date of the Order; and payment of investigative costs within six months of the date of the Order. Motion carried.\*

**2022-235:** 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: public reprimand with single-state license; 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.\*

**2023-94:** 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: public reprimand; indefinite suspension until the time that terms and conditions known to the Board and Respondent are completed; upon reinstatement two years of probation with quarterly reports and worksite approval with no telemedicine, no home health, narcotics

restriction at the discretion of the DON; and completion of courses as outlined. 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. *Conducted in Closed Session.*

Motion to accept recommendations one through three with issuance of Letters of Caution.

Motion carried. Motion to accept recommendation four with issuance of a Letter of Caution.

*Ms. Mitcham was recused from the presentation and voting for recommendation four and returned to the meeting upon completion.*

Motion to adjourn for the evening at 5:37p.m.

FRIDAY, MARCH 29, 2024

**CALL TO ORDER**

Ms. Todd called the meeting to order at 9:05 a.m. on Friday, March 29, 2024. It is noted that a quorum was present at all times.

**EXCUSED ABSENCES**

Motion to excuse Tamara Day. Motion carried.

**SCRQSA FLUOROSCOPY LIMITED PRACTITIONER CERTIFICATION**

Advice Counsel for the Board, Megan Flannery, Esq. discussed the policy developed by the South Carolina Radiation Quality Standards Association regarding the use of fluoroscopy in South Carolina. Ms. Flannery stated only those who receive the certification are able to practice fluoroscopy. Ms. Flannery then discussed the education requirement including 40 hours of didactic, 40 hours of clinical, and then an exam. Ms. Flannery further explained that part of the policy includes the licensing board verifying that fluoroscopy is within the scope of practice for the licensee. Ms. Flannery stated that it has already been established that it is within the scope of practice for PAs as well as Nurse Practitioners. Ms. Flannery then stated that this has not been before the full Board, but the Advanced Practice Committee reviewed the issue extensively in 2019 and opined at that time that fluoroscopy was within the scope of a CRNA provided that they had the appropriate training and experience.

Motion to find that it is within the scope of practice for a CRNA with appropriate training and education to conduct fluoroscopy and the pathway outlined is sufficient. Motion carried.

**OFFICE OF INVESTIGATIONS AND ENFORCEMENT:**

Motion to approve the IRC Report with changes as discussed. Motion carried.\*

**APPLICATION APPEARANCES:**

**Melissa Mae Collins:** Motion to grant reinstatement with the following: application and CEUs; conditions from the prior Order go into effect after the license is issued; and other terms and conditions known to the Board and Respondent. Motion carried.\*

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

**Jonathan Sawers:** The appearance is continued.

**Quashema Williams:** Motion to grant LPN licensure. 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.

**2021-452:** 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; narcotics restriction for two years; worksite approval for two years; completion of courses as outlined within six months of the date of the Order; and other terms and conditions known to Respondent and the Board. Motion carried.\*

**2022-162 & 2022-202 & 2024-80:** 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: indefinite suspension until terms and conditions known by the Respondent and the Board are met. The Respondent must appear before the Board to request reinstatement and potential determination of additional terms and conditions. Motion carried.\*

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

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

Board Executive, Carol Moody, provided a statistical update as well as an update on Board vacancies and reappointments, including the appointment of Dr. Bridget Holder. Ms. Moody then provided an update on Board staff. Ms. Moody discussed the Nurse Licensure Compact (NLC) and APRN Compact updates. Ms. Moody discussed licensure renewals and provided an update on recent and upcoming NCSBN meetings. Jennifer Mitchell, Administrative Coordinator for the Board, then reviewed recent updates to the Board's website.

Motion to adjourn at 2:26 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.*