

SC DEPARTMENT OF LABOR, LICENSING AND REGULATION
 110 CENTERVIEW DRIVE, SUITE 202
 COLUMBIA, SOUTH CAROLINA 29210

BOARD OF NURSING MEETING MINUTES – July 26-27, 2007

Vice President Brenda Yates Martin called the meeting to order at 8:40 a.m. on July 26, 2007 and at 8:40 a.m. on July 27, 2007. In accordance with the S.C. Freedom of Information Act, meeting notice was properly posted at the Board offices and provided to requesting persons, organizations and news media. A quorum was present at all times. The Board’s mission was read: *The mission of the State Board of Nursing for South Carolina is the protection of public health, safety, and welfare by assuring safe and competent practice of nursing.*

CALL TO ORDER
PLACE OF
MEETING AND
FOIA
COMPLIANCE

- Suzanne K. White, RN, MN, FAAN, FAHA, FCCM, CNAA, President
 Congressional District 4..... Absent
- Brenda Y. Martin, RNC, MN, CNAA, Vice-President
 Congressional District 5..... Present
- C. Lynn Lewis, RN, EdD, MHS, Secretary
 Congressional District 3..... Present
- Debra J. Doria, LPN
 Region II, Congressional District 4 Present
- Carrie H. James, RN, MSN, CNA-BC, CCE
 Congressional District 6..... Present
- Rose Kearney-Nunnery, RN, PhD, CNE
 Congressional District 2..... Absent
- Trey Pennington, MBA, MS
 Public Member Present
- Sylvia A. Whiting, PhD, APRN-BC
 Congressional District 1..... Absent
- One LPN Member Vacancy from Region I*
One Public Member Vacancy

BOARD
MEMBERS
PRESENT AND
VOTING

- Joan K. Bainer, RN, MN, CNA BC, Board Administrator
 David Christian, III, Program Coordinator
 Maggie S. Johnson, RN, MSN, CLNC, APM, Program Nurse Consultant-Practice
 Nancy G. Murphy, RN, MS, BC, CPM, Program Nurse Consultant-Education
 Theresa Richardson, Administrative Assistant
 Dottie Buchanan, Administrative Assistant
 Richard P. Wilson, Deputy General Counsel
 Sheridon Spoon, Associate General Counsel
 Marvin Frierson, Assistant General Counsel
 Dwight Hayes, Assistant General Counsel
 Mark Dorman, Chief of Investigations
 Shirley Robinson, Hearing Counsel

BOARD AND LLR
STAFF
MEMBERS
PRESENT FOR
CERTAIN
AGENDA ITEMS

The July 26-27, 2007 Board of Nursing meeting agenda was presented to the Board for their review and approval.

APPROVAL OF
AGENDA

A motion was made to approve the July 26-27, 2007 Board of Nursing meeting agenda as presented. The motion received a second. The motion carried unanimously.

MOTION

The following informational items were adopted on the consent agenda:

APPROVAL OF
CONSENT
AGENDA

- For Information: NCSBN Board Meeting Highlights
- For Information: Legislative Update
- For Information: Legal Aspects Workshop Evaluation
- For Information: Advanced Practice Committee Meeting Minutes
- For Information: Nursing Practice & Standards Committee Minutes
- For Information: Update / Status on Monitoring from Monthly Report
- For Information: Complaint Statistics
- For Information: Licensure Statistics from Monthly Report
- For Information: Announcements of Licensure Applications Approved by Administrator & Program Coordinator

A motion was made to adopt the July 26-27, 2007 Consent Agenda as presented. The motion received a second. The motion carried unanimously.

MOTION

The minutes of the May 17, 2007 regular Board of Nursing Meeting and of the April 19, 2007 Strategic Planning Meeting were presented to the Board for their review and approval.

APPROVAL OF
MINUTES

A motion was made to approve the May 17, 2007 Board of Nursing Meeting minutes as presented. The motion received a second. The motion carried unanimously.

MOTION

A motion was made to approve the April 19, 2007 Strategic Planning Meeting minutes as presented. The motion received a second. The motion carried unanimously.

MOTION

The Office of Investigations and Enforcement provided the Board with the June 26, 2007 Investigative Review Committee (IRC) Meeting Report including recommendations for their review and approval.

INVESTIGATIVE
REVIEW
COMMITTEE

A motion was made to approve the Investigative Review Committee (IRC) recommendations for Dismissals from their June 26, 2007 meeting as presented. The motion received a second. The motion carried unanimously.

MOTION

A motion was made to approve the Investigative Review Committee (IRC) recommendations for Formal Complaints from their June 26, 2007 meeting as presented. The motion received a second. The motion carried unanimously.

MOTION

A motion was made to approve the Investigative Review Committee (IRC) recommendations for Letters of Concern from their June 26, 2007 meeting as presented. The motion received a second. The motion carried unanimously.

MOTION

The Board of Nursing's Compliance and Monitoring Section provided the Board members with the minutes of the June 5, 2007 Disciplinary Review Committee (DRC) Meeting for their review and approval.

DISCIPLINARY
REVIEW
COMMITTEE

A motion was made to approve the June 5, 2007 Disciplinary Review Committee minutes as presented. The motion received a second. The motion carried unanimously.

MOTION

An applicant for the National Council Licensure Examination (NCLEX) for registered nurse licensure appeared before the Board regarding affirmative answers to questions regarding disciplinary and/or criminal records reported on the South Carolina licensure application.

LICENSURE
APPEARANCE

Terry M. Pennington, an applicant for the National Council Licensure Examination (NCLEX) for registered nurse appeared without counsel before the Board regarding a "yes" answer to questions regarding discipline and/or criminal records on his application. The Board asked questions regarding the yes answer to questions on discipline and criminal records on the application.

A motion was made to go into executive session for the purpose of receiving legal counsel. The motion received a second. The motion carried unanimously.

MOTION

A motion was made to return to public session. The motion received a second. The motion carried unanimously.

MOTION

Mr. Pennington requested to withdraw his application for National Council Licensure Examination (NCLEX) registered nurse at this time.

A motion was made to accept Terry M. Pennington's request to withdraw his application for the National Council Licensure Examination (NCLEX) registered nurse. The motion received a second. The motion carried unanimously.

MOTION

The Board reviewed the Hearing Panel's findings of fact, conclusions of law and recommendations for disciplinary actions as well as memoranda of agreement related to unlicensed practice and violation of previous orders along with requests for licensure reinstatement.

PANEL
REPORTS/
MEMORANDA
OF
AGREEMENT

Respondent was properly notified and appeared before the Board without counsel to respond to questions. Respondent signed a memorandum of agreement waiving a disciplinary panel hearing and admitting to a violation of the Nurse Practice Act by working as a registered nurse until May 16, 2007 after her registered nurse license expired on January 31, 2004.

A motion was made to go into executive session for the purpose of receiving legal counsel. The motion received a second. The motion carried unanimously.

MOTION

A motion was made to return to public session. The motion received a second. The motion carried unanimously.

MOTION

A motion was made to issue a private reprimand to the Respondent, require completion of a refresher course; legal aspects workshop, if not included in the refresher course, and a civil penalty in the amount of \$3,000. The motion received a second. The motion carried unanimously.

MOTION

Respondent was properly notified and appeared before the Board without counsel to respond to questions. Respondent signed a memorandum of agreement waiving a disciplinary panel hearing and admitting to a violation of the Nurse Practice Act by working as a registered nurse until June 2007 after her temporary registered nurse license expired on April 27, 2006.

A motion was made to go into executive session for the purpose of receiving legal counsel. The motion received a second. The motion carried unanimously.

MOTION

A motion was made to return to public session. The motion received a second. The motion carried unanimously.

MOTION

A motion was made to issue a private reprimand to Respondent and a civil penalty in the amount of \$500. The motion received a second. The motion carried unanimously.

MOTION

Respondent Darrel R. Welden, RN was properly notified and appeared to respond to questions from the Board. Mr. Welden was not represented by legal counsel. A Recovering Professional Program (RPP) representative was present to respond to questions from the Board. Respondent signed a memorandum of agreement admitting to a violation of the Nurse Practice Act, waiving a disciplinary panel hearing and requesting reinstatement of his registered nurse license.

A motion was made to go into executive session for the purpose of receiving legal counsel. The motion received a second. The motion carried unanimously.

MOTION

A motion was made to return to public session. The motion received a second. The motion carried unanimously.

MOTION

A motion was made to indefinitely suspend the license of Respondent Darrel R. Welden, RN; suspension may be stayed with recommendation of the Recovering Professional Program (RPP) that the Respondent is safe to return to practice. The motion received a second. The motion carried unanimously.

MOTION

A motion was made to amend the original motion to indefinitely suspend Respondent Darrel R. Welden, RN's license, with stay of suspension upon recommendation of the Recovering Professional Program (RPP) that the Respondent is safe to return to practice; that upon reinstatement Respondent will be placed on two years probation; Respondent shall work in a Board approved setting but shall not be approved to work in home based care, telenursing, or agency; Respondent must be supervised by a registered nurse who must remain on site and on shift at all times; Respondent shall have his employer(s) submit quarterly employer reports; and complete a Board approved Legal Aspects Workshop. The motion received a second. The motion carried unanimously.

MOTION

Respondent was properly notified and appeared before the Board without counsel to respond to questions. Respondent signed a memorandum of agreement waiving a disciplinary hearing and admitting to a violation of the Nurse Practice Act by working until June 8, 2007 after her registered nurse license expired on April 30, 2006.

A motion was made to issue a private reprimand to Respondent and a civil penalty in the amount of \$500. The motion received a second. The motion carried unanimously.

MOTION

Respondent Mary J. Cloyd, RN was properly notified and appeared to respond to questions from the Board. Ms. Cloyd was not represented by legal counsel. Respondent signed a memorandum of agreement admitting to a violation of the Nurse Practice Act, waiving a disciplinary panel hearing, and requesting reinstatement of her registered nurse license.

A motion was made to go into executive session for the purpose of receiving legal counsel. The motion received a second. The motion carried unanimously.

MOTION

A motion was made to return to public session. The motion received a second. The motion carried unanimously.

MOTION

A motion was made to deny the reinstatement request of Respondent Mary J. Cloyd, RN but provided that Respondent may petition for reinstatement of her registered nurse license at the end of her probation. The motion received a second. The motion carried unanimously.

MOTION

Respondent was properly notified and appeared to respond to questions from the Board. Respondent was represented by William W. Watkins, Esquire. A Recovering Professional Program (RPP) representative was present to respond to questions from the Board. The disciplinary panel hearing in this case was held on January 31, 2007. In their Findings of Fact and Conclusions of Law, the Disciplinary Hearing Panel found that Respondent violated S.C. Code Ann. §40-33-110(A)(1), 1976, as amended. The Disciplinary Hearing Panel recommended that Respondent be issued a private reprimand; that Respondent's license be immediately reinstated provided that Respondent agrees to abstain from mood altering substances, to participate in the RPP; that RPP provide a written recommendation of the RPP that the Respondent is safe to return to practice; that Respondent must be supervised by a registered nurse who must remain on site and on shift at all times, and Respondent shall have her employer(s) submit quarterly employer reports.

A motion was made to go into executive session for the purpose of receiving legal counsel. The motion received a second. The motion carried unanimously.

MOTION

A motion was made to return to public session. The motion received a second. The motion carried unanimously.

MOTION

A motion was made to accept the Disciplinary Hearing Panel's Findings of Fact and

MOTION

Conclusions of Law, and recommendation that Respondent be issued a private reprimand, but amended the recommendation to require Respondent to receive drug screenings from the Recovering Professional Program (RPP) for one year, and that at the end of that year Respondent must appear before the Disciplinary Review Committee (DRC). The motion received a second. The motion carried unanimously.

Frank Sheheen, Program Director of the Recovering Professional Program (RPP) asked if one year monitoring could be recommended by RPP in certain other situations. The Board stated that there may occasionally be circumstances where one year monitoring may be appropriate.

RPP

Respondent was properly notified and appeared to respond to questions from the Board regarding her request for reinstatement from a private order. Respondent was not represented by legal counsel. Respondent petitioned the Board to reinstate her registered nurse license.

A motion was made to go into executive session for the purpose of receiving legal counsel. The motion received a second. The motion carried unanimously.

MOTION

A motion was made to return to public session. The motion received a second. The motion carried unanimously.

MOTION

A motion was made to reinstate Respondent's registered nurse license, that the license be in a probationary status for one year; Respondent shall work in a Board approved setting but shall not be approved to work in home based care, telenursing, or agency; Respondent must be supervised by a registered nurse who must remain on site and on shift at all times; Respondent shall have her employer(s) submit quarterly employer reports; and complete a Board approved Legal Aspects Workshop. The motion received a second. The motion carried unanimously.

MOTION

Respondent Michelle B. Ellis, LPN was properly notified and appeared to respond to questions from the Board. Ms. Ellis was not represented by legal counsel. A Recovering Professional Program (RPP) representative was present to respond to questions from the Board. Respondent signed a memorandum of agreement admitting to a violation of the Nurse Practice Act, waiving a disciplinary panel hearing, and requesting reinstatement of her license.

A motion was made to continue the suspension the license of Respondent Michelle B. Ellis, LPN until such time as the Board receives a recommendation from the Recovering Professional Program (RPP) that the Respondent is safe to return to practice and that the five-year period with RPP is to begin again with her June 2007 reenrollment in the RPP. The motion received a second. The motion carried unanimously.

MOTION

Respondent Kelley Marie Floyd, RN was properly notified and appeared to respond to questions from the Board. Ms. Floyd was not represented by legal counsel. Respondent signed a memorandum of agreement admitting to a violation of the Nurse Practice Act, waiving a disciplinary panel hearing, and requesting

reinstatement of her registered nurse license.

A motion was made to indefinitely suspend the license of Kelley Marie Floyd, RN. The motion received a second. The motion carried unanimously.

MOTION

Respondent Kelly Jackson Whitener, LPN was properly notified and appeared to respond to questions from the Board. Ms. Whitener was not represented by legal counsel. The disciplinary panel hearing in this case was held on January 18, 2007.

A Recovering Professional Program (RPP) representative was present to respond to questions from the Board. In their Findings of Fact and Conclusions of Law, the Disciplinary Hearing Panel found that Respondent violated S.C. Code Ann. §40-33-110(A)(7), 1976, as amended. The Disciplinary Hearing Panel recommended that the temporary suspension of Respondent's license remain in effect pending a psychiatric evaluation and written recommendation of the RPP that the Respondent is safe to return to practice, upon reinstatement of Respondent's license, she must continue to comply with the terms and conditions of the March 18, 2005 Consent Agreement. Ms. Whitener provided the Board with a copy of the requested psychiatric evaluation.

A motion was made to accept the Disciplinary Hearing Panel's Findings of Fact, Conclusions of Law and recommendation Respondent Kelly Jackson Whitener's licensed practical nurse license be reinstated; upon reinstatement of Respondent's license Respondent must continue to maintain compliance with the terms and conditions of the March 18, 2005 Consent Agreement. The motion received a second. The motion carried unanimously.

MOTION

Respondent Dianna K. Johnson, RN was properly notified but did not appear to respond to questions from the Board. Ms. Johnson was not represented by legal counsel. The disciplinary panel hearing in this case was held on April 3, 2007. In their Findings of Fact and Conclusions of Law, the Disciplinary Hearing Panel found that Respondent violated S.C. Code Ann. §40-33-110(A)(1), (3) and (10), 1976, as amended. The Disciplinary Hearing Panel recommended that Respondent Dianna K. Johnson's registered nurse license be revoked, that Respondent pay a civil penalty of \$1,000 within 30 days of the final order, and that the Georgia Board of Nursing be notified of the action by the South Carolina Board of Nursing against the Respondent's license.

A motion was made to accept the Disciplinary Hearing Panel's Findings of Fact, Conclusions of Law and amend the recommendation to permanently revoke the license of Respondent Dianna K. Johnson, RN. The motion received a second. The motion carried unanimously.

MOTION

Respondent Sunni C. Cassidy, LPN was properly notified but did not appear to respond to questions from the Board. Ms. Cassidy was not represented by legal counsel. A Recovering Professional Program (RPP) representative was present to respond to questions from the Board. The disciplinary panel hearing in this case was held on April 3, 2007. In their Findings of Fact and Conclusions of Law, the Disciplinary Hearing Panel found that Respondent violated S.C. Code Ann. §40-33-110(A)(7), 1976, as amended. The Disciplinary Hearing Panel recommended that the license of Respondent Sunni C. Cassidy, LPN remain suspended until further

order of the Board.

A motion was made to accept the Disciplinary Hearing Panel's Findings of Fact, Conclusions of Law and to indefinitely suspend the license of Respondent Sunni C. Cassidy, LPN. The motion received a second. The motion carried unanimously.

MOTION

Respondent Sara K. Mishoe, RN was properly notified but did not appear to respond to questions from the Board. Ms. Mishoe was not represented by legal counsel. A Recovering Professional Program (RPP) representative was present to respond to questions from the Board. The Respondent signed a memorandum of agreement admitting to a violation of the Nurse Practice Act, waiving a disciplinary panel hearing, and requesting reinstatement of her registered nurse license.

A motion was made to continue the licensure suspension of Sara K. Mishoe, RN. The motion received a second. The motion carried unanimously.

MOTION

A registered nurse (RN) appeared before the Board along with her nurse manager to discuss audit continued competency documentation not being received by the Board upon request of Board staff. Staff provided copies of letters sent as well as confirmation of receipt of certified mail for the Board's review along with information on sanctions for audit violations from the April 19, 2007 Strategic Planning Meeting and documentation of conversations with the RN and her supervisor. The RN states that she and her manager had faxed the documentation upon original request but then received a second notice that the Board had not received the documentation. At that time, she states that they faxed the information a second time. The RN and her Nurse Manager could not provide confirmation that either of the faxes had been sent or received by the Board. The RN's license was placed in a lapsed status due to the Board not receiving the requested documentation. The RN discovered that her license was in a lapsed status when Licensee Lookup was accessed on the Web site by an employer.

A motion was made to go into executive session for the purpose of receiving legal counsel. The motion received a second. The motion carried unanimously.

MOTION

A motion was made to return to public session. The motion received a second. The motion carried unanimously.

MOTION

A motion was made to reinstate the registered nurse license and issue a letter of concern. The motion carried unanimously.

MOTION

A site survey was conducted on April 10, 2007 at Bob Jones University by Nancy G. Murphy, RN, BC, MS, CPM, Nurse Consultant for Education for continued approval of their baccalaureate nursing program. All findings and recommendations in the site survey report have been addressed.

BOB JONES
UNIVERSITY
SITE SURVEY
REPORT

A motion was made to grant continued approval of the Bob Jones University baccalaureate nursing program for eight years based on the information provided. The motion received a second. The motion carried unanimously.

MOTION

SPARTANBURG
COMMUNITY
COLLEGE
CLASSES AT
OTHER SITES

Susan Cherry-Casey, RN, MN, Department Head of the Associate Degree in Nursing Program and Jayne Case, RN, MSN of Spartanburg Community College appeared before the Board. Ms. Cherry-Casey reported that she will be leaving Spartanburg Community College and Ms. Case will be serving as Interim Department Head of the Associate Degree in Nursing Program. Spartanburg Community College requested approval for the college to offer nursing courses at their Cherokee and Tyger River campuses located in Gaffney and Duncan, South Carolina. The college would like to begin offering nursing courses at these campuses in Spring 2008. Ms. Cherry-Casey reported that the nursing program would be selective as to which courses are held at each campus to insure that sufficient classroom space and laboratory needs are met for those courses. Providing nursing courses at these campuses will allow the college to meet needs of many traditional and nontraditional students. She reported that faculty is supportive of this request.

MOTION

A motion was made to approve the request of Spartanburg Community College to offer nursing courses at their Cherokee and Tyger River campuses located in Gaffney and Duncan. The motion received a second. The motion carried unanimously.

PIEDMONT
TECHNICAL
COLLEGE
CURRICULUM
CHANGE
REQUEST

Rebecca B. (Becky) King, MSN, RN, Dean of Nursing Education at Piedmont Technical College appeared before the Board to discuss substantial curriculum changes. At its April 17, 2007 meeting the Advisory Committee on Nursing (ACON) recommended that Piedmont Technical College return with curriculum clarifications as discussed with suggestions to strengthen as follows: 1) label the core abilities as college requirements; 2) separate the practical nurse (PN) and associate degree nurse (ADN) mission; 3) reflect and differentiate the ADN scope of practice throughout the curriculum; 4) include didactic outcomes; 5) clarify the exit standards; 6) separate the course and clinical competencies; and 7) clarify and define the curriculum concepts and threads and reflect throughout the objectives, competencies, and clinical evaluation tool. The June 19, 2007 ACON meeting was cancelled due to lack of quorum.

MOTION

A motion was made to approve the Piedmont Technical College curriculum changes as presented. The motion received a second. The motion carried unanimously.

DENMARK
TECHNICAL
COLLEGE
PROPOSED
PRACTICAL
NURSING
PROGRAM

Bonnie Stroman, RN, MSN, Dean of Nursing; Deborah Smoak, Nursing Instructor, Jackie Skubal, Vice President of Academic Affairs; Teresa Mack, Title III Coordinator, and Dr. John K. Wadell, President of Denmark Technical College appeared before the Board to discuss their site survey. The Site Survey Team appointed by the Advisory Committee on Nursing (ACON) completed their survey for the proposed Denmark Technical College practical nursing (PN) program on March 20, 2007. The survey team submitted their report including their findings and recommendations to ACON at its April 17, 2007 meeting for action and recommendation to the Board. Denmark Technical College submitted materials in response to the site survey report, findings and recommendations at that meeting. ACON reviewed the site survey report and the response materials submitted and recommended that Denmark Technical College resubmit materials clarifying certain

areas to include: 1) clarifying the attendance policy for both class and clinical, 2) providing plans for faculty and their professional development, 3) clarifying curriculum concepts and threads and reflecting that throughout the philosophy, framework, objectives and outcomes, competencies and clinical evaluation tool, 4) enhancing the syllabi content and teaching plan, 5) clarifying the clinical evaluation expectations for both faculty and students, and 6) continuing to revise both course and clinical objectives to reflect progression from simple to complex. Denmark Technical College resubmitted response materials as requested by ACON for the June 19, 2007 ACON meeting. The June 19, 2007 ACON meeting was cancelled due to lack of quorum. They hope to admit 20 students. The Board suggested that the college consider a cut in remediation and require that students be able to attend all clinical requirements.

A motion was made to grant initial approval status for the practical nursing program at Denmark Technical College. The motion received a second. The motion carried unanimously.

MOTION

Dr. Alice Frye, Dean of Health Sciences and J. Patricia G. Lifsey of Aiken Technical College appeared before the Board to discuss their practical nursing (PN) program curriculum changes and faculty. Aiken Technical College advised the Board that they will no longer be offering a PN exit option from its associate degree nursing (ADN) program. They are proposing to admit 24 practical nursing students to its PN program in January 2008. Students in the ADN program may apply to take the National Council Licensure Examination practical nurse (NCLEX-PN) by equivalency. Aiken Technical College is planning to hire two faculty members in October and November.

AIKEN
TECHNICAL
COLLEGE
FACULTY
REQUEST &
CURRICULUM
CHANGE

A motion was made to approve the curriculum changes at Aiken Technical College and requested that the faculty information to go before the Advisory Committee on Nursing (ACON) for review and recommendation. The motion received a second. The motion carried unanimously.

MOTION

Susan C. Williams, RN, PhD of the University of South Carolina-Beaufort appeared before the Board to discuss their proposal and self-evaluation for a new baccalaureate nursing program at their school. Dr. Williams reported that they have the full support of the chancellor of their school for this new program.

USC- BEAUFORT
- BSN
PROPOSAL

The Office of General Counsel presented consent agreements to the Board for their review, consideration, and approval. The consent agreements included public and private agreements signed by the respondents.

CONSENT
AGREEMENTS

A motion was made to approve the public consent agreements presented for Lavetta Addison, LPN; Patricia B. Blanchard, RN; Pat Harris, RN; Elizabeth Ann Heatherly, RN; Jeni L. Johnson, RN; Norma G. Kyle, RN; Ronald Eugene Park, RN; Catherine Kennedy Powers, RN; Emily Suzette Spires, RN (Dr. Lewis recused herself on Spires consent agreement); Sondra Darlene Waits, LPN; Tina Denise Willingham, LPN; Kimberly Odom, RN; Christy L. Massey, Ava Gail Brown, and Diana Odel Stafford, as well as private consent agreements for Case #2007-74, Case #2007-78, Case #2007-34, Case #2005-38, Case #2005-304, Case #2007-80, and Case #2006-48. The motion received a second. The motion carried

MOTION

unanimously.

PANEL HEARING
CRITERIA

The Board discussed criteria for members of the disciplinary hearing panels at a previous board meeting and asked that criteria be developed. Ms. Bainer recommended and the Board considered that a panel member must be a licensed practical nurse (LPN), registered nurse (RN), or advanced practice registered nurse (APRN) licensed by South Carolina with a minimum of one year of residency in South Carolina, a minimum of one year of nursing practice, have no disciplinary actions current or pending, and that they attend a disciplinary process orientation. Ms. Brice asked the Board to consider using "authorization to practice in South Carolina" rather than "licensed in South Carolina" due to the Compact and to be able to consider nurses who are working in a federal facility on a license from another state. Dr. Lewis noted that these are guidelines and that if the situation arises others could be considered. Mr. Wilson stated that the Board reviewed a list of all disciplinary panels and committees as well as other Board appointed committees each year.

A motion was made to require that to serve on disciplinary hearing panels, a nurse must be a licensed practical nurse (LPN), registered nurse (RN), or advanced practice registered nurse (APRN) licensed by South Carolina with a minimum of one year of residency in South Carolina, a minimum of one year of nursing practice, have no disciplinary actions current or pending, and that they attend a Disciplinary Process orientation. The motion received a second. The motion carried unanimously.

MOTION

Neal B Kauder, President of VisualResearch, Inc along with Robert A. Nebiker, former Director of the Virginia Department of Health Professions gave a presentation on Sanction Reference Points (SRP) at the April 19, 2007 Board of Nursing Strategic Planning Meeting. Ms. Bainer recapped for the Board that VisualResearch, Inc. reviews prior Board disciplinary decisions, Board and staff composition, and types of violations and other relevant data to develop a worksheet to provide consistency in disciplinary actions. Ms. James reported that a colleague in Virginia reported that they liked the more evidence based worksheet for decisions.

SANCTION
REFERENCE
POINTS
PROPOSAL

Two proposals for development of SRP from VisualResearch, Inc. were provided to the Board for review.

Option #1 Normative Based Sanction Reference Points:

This method relies on Board member and staff interviews and review of existing documents with no analysis of case level data. There would be a time investment of 7-9 months and a charge of approximately \$37,000 - 45,000.

Option #2 Historical and Normative Based Sanction Reference Points:

This method relies on analysis of 3-5 years of historical data, a data collection coding manual, compilation of a data base and writing a syntax, etc. There would be a time investment of 12-14 months and a cost of \$74,000 - \$90,000.

The Board discussed their areas of greatest concern. Mr. Christian explained that certain violations could be weighted for areas that are most important to the Board.

The Board asked how this project would be funded and how it would affect the Board of Nursing budget. Ms. Brice explained that our budgeting process is different due to our biennial renewal period.

A motion was made to pursue Option 2 Historical and Normative Based Sanction Reference Points as proposed by VisualResearch, Inc. The motion received a second. The motion carried unanimously.

MOTION

Brenda Martin and Joan Bainer are serving as delegates at the National Council of State Boards of Nursing (NCSBN) Delegate Assembly with Board Member Carrie James and Board Staff Maggie Johnson serving as the alternates. The Board reviewed and discussed the following items on the Delegate Assembly agenda:

NCSBN ANNUAL
MEETING /
DELEGATE
ASSEMBLY

- Bylaws – The bylaws were reviewed by the Board prior to the NCSBN Midyear Meeting.
- Strategic Initiatives – The Board reviewed and offered input on the strategic initiatives for the NCSBN Midyear Meeting.
- Medication Aide Model Curriculum - At the retreat, the Board decided to consider regulation of nurse aides and/or medication aides but to wait until after Delegate Assembly. Ms. Bainer reported that the South Carolina Health Care Association would like to move forward with regulation.
- Pain Management – This item refers to patient and practitioner, end of life and chronic pain management. Ms. Johnson reported that other states have similar statements and many states have a joint statement with the pharmacy board in their state. She encouraged the Board to adopt this statement.
- Guiding Principles of Nursing
- Renew NCLEX contract with Pearson Vue
- 2008 NCLEX-PN Test Plan – Ms. Murphy explained that the Board has had opportunities for input during the revision process.
- 2007 Candidates
- CORE

Ms. Murphy presented draft revisions to the *Procedures for Review and Survey of Proposed New Nursing Programs* for the Board's review and approval. The new regulations were provided for reference. The new nursing education program regulations were posted in the State Register on May 25, 2007. Dr. Burgess, Chair of the Advisory Committee on Nursing (ACON) spoke to the Board on Thursday, July 26, 2007 regarding the policy requiring schools to submit the required materials in their entirety before the survey could be scheduled. She explained is frustrating for survey team members to receive the materials just a few days prior to the site survey which does not allow the survey team ample time to review and make an informed recommendation to the Board. Dr. Lewis noted that schools would not send incomplete information to National League for Nursing Accrediting Commission (NLNAC) or other accrediting bodies. The *Procedures for Review and Survey of Proposed New Nursing Programs* give schools a checklist of items required to assist them in collecting the necessary information for submission.

PROCEDURES
PROPOSED NEW
NURSING
PROGRAMS

A motion was made to approve the revisions to the *Procedures for Review and Survey of Proposed New Nursing Programs* as presented. The motion received a

MOTION

second. The motion carried unanimously.

The new nursing education program regulations were posted in the State Register on May 25, 2007. Six schools submitted their letter of intent to the Board under the previous regulations. Ms. Murphy asked for clarification as to whether the school would continue the process under previous regulations or under new regulations. Two of the six schools have not given a proposed start date, Ms. Murphy suggested sending them a letter explaining that they would be under the new regulations should they move forward with their proposal. Information required is not very different; however, the timeline is different. The other schools are already in the process with proposed opening dates.

NEW
EDUCATION
REGULATIONS –
CLARIFY
IMPLEMENTA-
TION PROCESS

A motion to advise the four schools with current proposed opening dates regarding the new nursing program regulations and to provide a transition process allowing for materials documenting evidence of compliance with the new regulations which includes a feasibility study and a self-evaluation report to be submitted nine months in advance of their proposed opening date and to advise the two schools that have not provided a current proposed opening date of the new nursing program regulations and processes that would now be required should they move forward with their plans. The motion received a second. The motion carried unanimously.

MOTION

Ms. Johnson presented revisions to advisory opinions by the Nursing Practice and Standards Committee for the Board's review and approval. These opinions were reviewed and revised at their April meeting.

REVISIONS TO
ADVISORY
OPINIONS

Advisory Opinions 4, 6, 7, 16, 18, 22, 23, 26, 29, 31, 32, 33, 27, and 38 were revised adding a standard paragraph to provide consistency in language regarding "special education and training."

Advisory Opinion 5 was changed to have a second licensed nurse rather than having a second registered nurse (RN) verify when an RN was replacing an empty infusion bag. It was noted that a licensed practical nurse (LPN) could not hang the infusion bag but could verify that the RN had replaced it. This would prevent unlicensed personnel from performing the verification.

References were updated in Advisory Opinions 5, 9a, 9b, 13 and 30.

Advisory Opinion 27 was corrected for grammatical and typographical errors.

The first sentence in Advisory Opinion 21 regarding licensed practical nurses (LPN) and assessment was revised to clarify complete assessment from a partial assessment. The opinion notes that analysis and synthesis are in the scope of the registered nurse (RN). The number of calls to Board staff regarding the current wording in this opinion prompted this discussion and revision. Some facilities exclude LPNs from assisting with assessment in any way due to this opinion. Ms. Doria explained that the LPN's role in assessment might be different in situations where there is not a RN present such as in some schools and in long term care. She further explained that LPNs are taught these skills in their education. The LPN role may be changing due to regulation of the medication aides and other unlicensed assistive personnel.

The Committee recommended using the abbreviation for endoscopic retrograde cholangiopancreatography (ERCP) in Advisory Opinion 4 because the abbreviation is used in most institutions and by health professionals.

The Committee discussed antineoplastic agents being given intrathecally. A sentinel event report from Joint Commission was provided to the Board. The Committee recommended that Advisory Opinion 7 include safety practices in the special education and training to highlight extra precautions required for chemotherapy medications.

Advisory Opinion 25 was revised to clarify that it addresses only conscious sedation and not pain management. The Committee will be discussing medications that are normally used in conscious sedation being used in small doses for chronic pain management. It was noted that dental hygienists are being trained in conscious sedation.

A motion was made to approve the revisions to the advisory opinions as presented. The motion received a second. The motion carried unanimously.

MOTION

Ms. Johnson reported that she shared *A Guide for Kentucky ARNPs Prescribing Controlled Substances* as information at the Advanced Practice Committee (APC) meeting. The APC discussed the possibility of including a similar document on our website to assist South Carolina advanced practice registered nurses (APRN) regarding their scope of practice and the regulation of their practice. Dr. Roseanne Pruitt, Dean of Nursing, Clemson University and former APRN Educator representative on the APC has offered to work on this project with a graduate student at Clemson University.

SUGGESTION
FOR APRN
GUIDELINES ON
WEBSITE

A motion was made to approve the Advanced Practice Committee (APC) developing a document regarding prescribing controlled substances for advanced practice registered nurses (APRN) in our state. The motion received a second. The motion carried unanimously.

MOTION

The Board complimented the staff on the presentations which were very well organized.

The next Board of Nursing meeting will be held on September 27-28, 2007.

ADJOURNMENT

A motion was made to adjourn the meeting at 10:18 a.m. on July 27, 2007. The motion received a second. The motion carried.

MOTION

Respectfully Submitted,
Dottie Buchanan, Assistant to the Administrator