

**SC DEPARTMENT OF LABOR, LICENSING AND REGULATION**

**BOARD MEETING MINUTES – MARCH 27-28, 2008**

Board President Brenda Martin called the regular meeting of the Board of Nursing to order at 8:30 a.m. on March 27, 2008 at 110 Centerview Drive, Columbia, SC 29210. In accordance with the S.C. Freedom of Information Act, the 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

Brenda Y. Martin, RNC, MN, CNAA, President  
Congressional District 5 ..... Present

C. Lynn Lewis, RN, EdD, MHS, Vice-President  
Congressional District 3 ..... Present

Trey Pennington, MBA, MS, Secretary  
Public Member ..... Present

Debra J. Doria, LPN  
Region II, Congressional District 4..... Present

Carrie H. James, RN, MSN, CNA-BC, CCE  
Congressional District 6 ..... Absent

Rose Kearney-Nunnery, RN, PhD, CNE  
Congressional District 2 ..... Present

Sylvia A. Whiting, PhD, APRN-BC  
Congressional District 1 ..... Present

BOARD MEMBERS  
PRESENT AND  
VOTING

Registered Nurse – Congressional District 4 - *Vacant*  
Licensed Practical Nurse – Regional I (Congressional Districts 1, 2, 3) - *Vacant*  
Public Member - *Vacant*

Ruby Brice, Asst. Dep. Director– Office of Health & Med. Related Professions  
Joan K. Bainer, RN, MN, CNA BC, Board Administrator  
David Christian, III, MBA, CPM, Program Coordinator-Compliance/Monitoring  
Nancy G. Murphy, RN, MS, BC, CPM, Program Nurse Consultant-Education  
Theresa Richardson, Administrative Assistant  
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 March 27-28, 2008 Board of Nursing meeting agenda was presented to the Board for review and approval.

APPROVAL OF  
AGENDA

A motion was made by Dr. Whiting to approve the March 27-28, 2008 meeting agenda as presented. Dr. Kearney-Nunnery seconded the motion. The motion carried unanimously.

MOTION

The following items were adopted on the consent agenda:

APPROVAL OF  
CONSENT AGENDA

For Information: NCSBN - January/February Policy Perspectives  
For Information: NCSBN - Transition to Practice Committee Report  
For Information: NCSBN - RWJF Launches National Program  
For Information: NCSBN – NCLEX Regional Workshop Follow-up  
For Information: Complaint Closure Letter–Follow-up from November 2007  
Board Meeting  
For Information: NCLEX RN and PN Summary Statistics for 2007  
For Information: Schools with Deficient NCLEX Pass Rate for Test Year 2007  
For Information: Announcement: Licensure Applications Approved Per Policy by  
Program Coordinator & Administrator -Monthly Report  
For Information: Investigation Statistics from ReLAES)  
For Information: Update/Status on Monitoring from Monthly Report

MOTION

A motion was made by Dr. Whiting to adopt the Consent Agenda as presented. Dr. Kearney-Nunnery seconded the motion. The motion carried unanimously.

The minutes of the January 24-25, 2008 Board of Nursing Meeting were presented for Board review and approval.

APPROVAL OF  
MINUTES

A motion was made Mr. Pennington by to approve the minutes of the January 24-25, 2008 Board of Nursing Meeting. Ms. Dora seconded the motion. The motion carried with one abstention.

MOTION

Brenda Martin and Joan Bainer attended the National Council of State Boards of Nursing (NCSBN) Mid-Year Meeting was held on March 4-5, 2008 in Chicago. Topics discussed at the meeting and reported to the Board included but were not limited to:

MID YEAR REPORT

Discussion of evidence based methods to determine continued nursing competency. The competency initiative was somewhat controversial. It was alluded to registered nurses (RN) and licensed practical nurses (LPN) taking a competency test offered by NCSBN. Conversation by the Board included that no other disciplines have competency tests.

The Director at Large position on the NCSBN Board of Directors is currently vacant.

There was emphasis on connections in the international nursing community. NCSBN has gone to other countries to present information from the United States. It was very interesting to see how nursing is regulated in other countries and how the legislative bodies in those countries relate with nursing laws. Ms. Martin reported that most countries require a four year degree and nurses do not regulate themselves.

Alternatives to discipline for substance abuse/addiction recovery were also discussed. NCSBN conducted a survey and researched to be sure these alternatives would not be a violation of the Compact law. Ms. Bainer is working on the committee to make recommendation to the NCSBN Board of Directors.

There was discussion about a Transition to Practice for new graduates to be in

an orientation program for a period of six months to one year. Facilities would be responsible and there would be no cost to the student. New graduates would provide evidence of completing the orientation. Their license file would be flagged if they did not complete the orientation. The Board discussed possible barriers for small nursing homes, the fact that there are not many disciplinary cases involving newly graduated licensees, and that there are mentors for new graduates.

South Carolina is participating in the Commitment to Ongoing Regulatory Excellence (CORE) program. Some other states have obtained new full time employees and equipment related to their participation. Information from 2005 has been provided. Efforts are being made to submit information quicker.

Discussion from the NCSBN Advanced Practice Registered Nurse (APRN) Committee included but was not limited to listening to stakeholders, trying to define scope of practice for various specialties, approval of APRN education, Compact and licensure accreditation/certification.

Ms. Bainer attended an introductory webinar related to the Taxonomy of Error, Root Cause Analysis & Practice Responsibility (TERCAP). We will be participating in the Webinar instead of traveling to the next meeting. TERCAP is directed mostly at hospital systems. The Board of Nursing does not regulate hospitals in South Carolina.

Ms. Bainer reported that for many years South Carolina has received a C+ regarding pain management. The Boards of Nursing, Medical Examiners and Pharmacy along with other groups would like to work together to develop and sign a joint statement on pain management in South Carolina. The goal is for our state to receive an A but ultimately to assist the patients in South Carolina.

PAIN  
MANAGEMENT

A motion was made by Dr. Kearney-Nunnery to allow Administrator Joan Bainer to move forward in collaborating with other boards and bring back a joint statement to the Board for review and approval. Dr. Whiting seconded the motion. The motion carried unanimously.

MOTION

The Board was provided with the February 5, 2008 Investigative Review Committee Meeting Minutes and recommendations for review and approval.

IRC

A motion was made by Dr. Kearney-Nunnery to approve the February 5, 2008 Investigative Review Committee Meeting recommendations for Dismissals as presented. Dr. Whiting seconded the motion. The motion carried unanimously.

MOTION

A motion was made by Dr. Whiting to approve the February 5, 2008 Investigative Review Committee Meeting recommendations for Formal Complaint as presented. Mr. Pennington seconded the motion. The motion carried unanimously.

MOTION

A motion was made by Mr. Pennington to approve the February 5, 2008 Investigative Review Committee Meeting recommendation for Letters of Concern as presented. Dr. Kearney-Nunnery seconded the motion. The motion carried unanimously.

MOTION

IRC PROCESS

Ms. Bainer reported that she had met with South Carolina Department of Labor, Licensing and Regulation (LLR) Director Adrienne R. Youmans regarding the Investigative Review Committee (IRC). LLR hired a consultant to review all LLR systems and processes. The consultant and a staff committee are utilizing the Disciplinary Sanctions Guidelines Chart in cases for issues such as Medicaid fraud. This would save money and time by not convening a committee and travel expenses. Ms. Youmans was very complementary of the Disciplinary Sanctions Guidelines Chart. Other licensing boards are using this chart as a template to develop their own guidelines. The staff committee would include a nurse, an attorney and investigation representative. The team would review the case based on the Disciplinary Sanctions Guidelines Chart. Consent agreements would be sent directly to the President but with more people reviewing. Ms. Youmans supports the new process. The team would take practice cases will go to an IRC. Mr. Dorman reported that of the 65 reviewed only 25 required further review by the IRC. Board discussion included but was not limited to the need to have a nurse involved in the review, that the Disciplinary Sanctions Guidelines Chart are only guidelines, and involvement of Program Nurse Consultation – Practice to make best use of the Administrator’s time.

DRC

The Board was provided with the minutes from the February 7, 2008 Disciplinary Review Committee (DRC) meeting for review and approval. It was noted that due to an emergency, only Dr. Kathleen Crispin was in attendance for this meeting. This is not a normal situation. The composition of the DRC will be reviewed at the Board’s Strategic Planning Meeting in April.

MOTION

A motion was made by Dr. Lewis to return the February 7, 2008 Disciplinary Review Committee (DRC) Minutes for clarification of the members present and voting. Ms. Doria seconded the motion. The motion carried with one abstention.

LICENSURE APPEARANCES

Applicants for the National Council Licensure Examination (NCLEX) for registered nurse and practical nurse licensure appeared before the Board regarding affirmative answers to questions regarding disciplinary and/or criminal records reported on or accommodations requested on the South Carolina licensure application. Respondents and witnesses were sworn in.

An applicant for licensure by examination appeared before the January 23, 2008 Board Order for further consideration and determination of what restrictions, if any, should be imposed on his license.

MOTION

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 the hearing. The motion received a second. The motion carried unanimously. No actions were taken during executive session.

MOTION

A motion was made by Mr. Pennington grant practical nurse license with a private agreement requiring a progress report in six months from the date of the order. Dr. Kearney-Nunnery seconded the motion. The motion carried unanimously.

A candidate National Council Licensure Examination (NCLEX) for registered nurse appeared without counsel before the Board regarding a “yes” answer to questions on criminal records on the application. The Board asked questions regarding circumstances of the criminal record.

A motion was made by Dr. Lewis to go into executive session for the purpose of receiving legal counsel. Ms. Doria seconded the motion. The motion carried unanimously.

MOTION

A motion was made to return to the hearing. The motion received a second. The motion carried unanimously. No actions were taken during executive session.

MOTION

A motion was made by Dr. Whiting to allow candidate to sit for the National Council Licensure Examination (NCLEX) for registered nurse and upon successful completion be licensed as a registered nurse in South Carolina with requirement for a Recovering Professionals Program (RPP) evaluation, if there is a positive diagnosis, participation in the RPP and license will be on probation concurrent with DUI probation, Board approved practice setting with no home health or agency and on-site and on-shift registered nurse supervision, Respondent shall provide a copy of the order to her employer(s), quarterly employer reports. Ms. Doria seconded the motion. The motion carried unanimously.

MOTION

A candidate National Council Licensure Examination (NCLEX) for registered nurse appeared without counsel before the Board regarding accommodations for testing. The Board asked questions regarding circumstances of the criminal record.

A motion was made by Dr. Kearney-Nunnery to refer the candidate for an Americans with Disabilities Act (ADA) evaluation. Dr. Whiting seconded the motion. The motion carried unanimously.

MOTION

Desa Ballard, Esquire presented a reconsideration of the Board’s Final Order. Respondent was not present.

RECONSIDERATIO  
N

A motion was made by Dr. Lewis to go into executive session for the purpose of receiving legal counsel. Ms. Doria seconded the motion. The motion carried unanimously.

MOTION

A motion was made to return to the hearing. The motion received a second. The motion carried unanimously. No actions were taken during executive session.

MOTION

A motion was made by Dr. Kearney-Nunnery made to amend paragraph 2E of the June 2007 Board order to require a Board approved work setting under the on-site / on-shift supervision by a licensed healthcare practitioner and to amend paragraph 2F of the June 2007 Board order to require the receipt of private quarterly reports from the Respondent’s physician. Dr. Whiting seconded the motion. The motion carried unanimously.

MOTION

Memoranda of Agreement regarding violation of previous Board orders were

MEMORANDA OF

AGREEMENT

presented to the Board for their review and determination of appropriate sanctions. Respondents appeared before the Board to respond to questions regarding their Memoranda of Agreement. Recovering Professionals Program (RPP) representatives from were present to respond to questions in cases regarding their clients.

Respondent Patricia Suzanne Smith, APRN was properly notified and appeared before the Board represented by Desa Ballard, Esquire. Dr. John Jordan was also present. Respondent signed a memorandum of agreement admitting to a violation and waiving a disciplinary panel hearing.

A motion was made by Dr. Lewis to go into executive session for the purpose of receiving legal counsel. Ms. Doria seconded the motion. The motion carried unanimously.

MOTION

A motion was made to return to the hearing. The motion received a second. The motion carried unanimously. No actions were taken during executive session.

MOTION

A motion was made by Dr. Whiting to assess a civil penalty of \$1,500 on Respondent Patricia Suzanne Smith, APRN based on failure to produce protocols with supervising physician and failure to obtain prescriptive authority from previous preceptor with the Board as required by law. Ms. Doria seconded the motion. The motion carried unanimously.

MOTION

Respondent David R. Sholtz, RN was properly notified and appeared before the Board represented by Nancy (Ann) Fant, Esquire. Respondent signed a memorandum of agreement admitting to a violation and waiving a disciplinary panel hearing.

A motion was made by Dr. Kearney-Nunnery to go into executive session for the purpose of receiving legal counsel. Ms. Doria seconded the motion. The motion carried unanimously.

MOTION

A motion was made to return to from executive session. The motion received a second. The motion carried unanimously. No actions were taken during executive session.

MOTION

A motion was made by Dr. Kearney-Nunnery to dismiss the case of Respondent David R. Sholtz, RN. Mr. Pennington seconded the motion. The motion carried unanimously.

MOTION

Respondent Rosilyn Lydia Brown, LPN was properly notified and appeared before the Board without legal counsel. Respondent was made aware of her right to legal counsel but waived that right. Respondent signed a memorandum of agreement admitting to a violation and waiving a disciplinary panel hearing.

A motion was made by Dr. Kearney-Nunnery to go into executive session for the purpose of receiving legal counsel. Ms. Doria seconded the motion. The motion carried unanimously.

MOTION

A motion was made to return to the hearing. The motion received a second.

MOTION

The motion carried unanimously. No actions were taken during executive session.

A motion was made by Dr. Whiting to indefinitely suspend the license of Respondent Rosilyn Lydia Brown, LPN until she is fully compliant with the Recovering Professional Program (RPP) and the Board receives a written recommendation from the RPP regarding her safety to return to practice. Mr. Pennington seconded the motion. The motion carried unanimously.

MOTION

Respondent Catherine Kennedy Powers, RN was properly notified and appeared before the Board without legal counsel. Respondent was made aware of her right to legal counsel but waived that right. Respondent signed a memorandum of agreement admitting to a violation and waiving a disciplinary panel hearing.

A motion was made by Dr. Kearney-Nunnery to reinstate the license of Respondent Catherine Kennedy Powers, RN upon receipt of a written recommendation from the Recovering Professional Program as to her safety to return to work, Respondent shall work in a Board approved work setting under the on-site / on-shift registered nurse supervision, no home based care, agency or telenursing or telehealth, quarterly employer reports and completion of a Legal Aspects Workshop. Ms. Doria seconded the motion. The motion carried unanimously.

MOTION

Respondent Charlsie G. Smith, RN was properly notified and appeared before the Board without legal that right. Respondent signed a memorandum of agreement admitting to a violation and waiving a disciplinary panel hearing.

A motion was made by Dr. Whiting to indefinitely suspend the license of Respondent Charlsie G. Smith, RN, that Respondent complete inpatient care as recommended by the Recovering Professional Program (RPP), to re-enroll with RPP and to appear before the Board prior to relicensure. Ms. Doria seconded the motion. The motion carried unanimously.

MOTION

Respondent Melissa G. Smith, RN was properly notified at the address on record with the Board, did not claim notification and did not appear before the Board and was not represented by legal counsel. Respondent signed a memorandum of agreement admitting to a violation and waiving a disciplinary panel hearing.

A motion was made by Dr. Kearney-Nunnery to indefinitely suspend the license of Respondent Melissa G. Smith RN. Mr. Pennington seconded the motion. The motion carried unanimously.

MOTION

The Board was provided with Hearing Panel's findings of fact, conclusions of law and recommendations for review and determination of sanctions.

PANEL REPORTS

Respondent Kellie Annette Inman, RN was properly notified and appeared before the Board without legal counsel. Respondent was made aware of her right to legal counsel but waived her right to legal counsel. The panel hearing in this case was held on October 23, 2007. In their Findings of Fact and Conclusions of Law, the Hearing Panel found that Respondent violated

Sections 40-33-110(A)(1) and (A)(15) The Hearing Panel recommended Respondent's license be indefinitely suspended, that the suspension may be stayed if Respondent completes a medication course and Legal Aspects of Nursing Workshop with classroom attendance required within thirty days of the order, and that Respondent work in a Board approved work setting under the on-site / on-shift registered nurse supervision, no home based care, agency or telenursing or telehealth.

A motion was made by Dr. Kearney-Nunnery to accept the Hearing Panel's Findings of Fact, Conclusions of Law and Recommendation to indefinitely suspend the license of Respondent Kellie Annette Inman, RN, require Respondent to complete a Board-approved medication course and Legal Aspects of Nursing course, that Respondent may petition the Board for reinstatement upon reinstatement Respondent must practice in a Board approved work setting under the on-site / on-shift registered nurse supervision, no home based care, agency or telenursing or telehealth. Mr. Pennington seconded the motion. The motion carried unanimously.

MOTION

Respondent Doris A. Sawyer, RN was properly notified and appeared before the Board without legal counsel. Respondent was made aware of her right to legal counsel but waived her right to legal counsel. The panel hearing in this case was held on October 23, 2007. In their Findings of Fact and Conclusions of Law, the Hearing Panel found that Respondent violated Sections 40-33-110(A)(5). The Hearing Panel recommended the license of Doris A. Sawyer, RN be reinstated.

A motion was made by Dr. Whiting to accept the Hearing Panel's Findings of Fact, Conclusions of Law and Recommendation to reinstate the license of Respondent Doris A. Sawyer, RN. Dr. Lewis seconded the motion. The motion carried unanimously.

MOTION

A motion was made by Dr. Kearney-Nunnery to vacate the order of temporary suspension in the matter of Respondent Doris A. Sawyer, RN. Mr. Pennington seconded the motion. The motion carried unanimously.

MOTION

Respondent Tiara Rene Cason, RN was properly notified and appeared before the Board without legal counsel. Respondent was made aware of her right to legal counsel but waived her right to legal counsel. The panel hearing in this case was held on December 11, 2007. In their Findings of Fact and Conclusions of Law, the Hearing Panel found that Respondent violated Sections 40-33-110(A)(14). The Hearing Panel recommended that prior to reinstatement Respondent must re-enroll with the Recovering Professional Program (RPP) and RPP must provide the Board with a statement of Respondent's safety to return to practice.

A motion was made by Dr. Lewis to accept the Hearing Panel's Findings of Fact, Conclusions of Law and recommendation that prior to reinstatement of the license of Respondent Tiara Rene Cason, RN that she re-enroll with the Recovering Professional Program. Dr. Kearney-Nunnery seconded the motion. The motion carried unanimously.

MOTION

Respondent Kathleen Elizabeth Tuohy, RN was properly notified and appeared



before the Board without legal counsel. Respondent was made aware of her right to legal counsel but waived her right to legal counsel. The panel hearing in this case was held on December 11, 2007. In their Findings of Fact and Conclusions of Law, the Hearing Panel found that Respondent violated Sections 40-33-110(A)(14). The Hearing Panel recommended the license of Kathleen Elizabeth Tuohy, RN be indefinitely suspended, the Board receives evidence of participation in the Recovering Professional Program (RPP) and RPP submits a statement as to Respondent's safety to practice nursing.

A motion was made by Dr. Whiting to accept the Hearing Panel's Findings of Fact, Conclusions of Law and Recommendation that the license of Kathleen Elizabeth Tuohy, RN be indefinitely suspended until there is evidence that she is participating in the Recovering Professional Program and the Board receives a statement as to her safety to practice nursing. Mr. Pennington seconded the motion. The motion carried unanimously.

MOTION

Respondent Kathy R. Woodside, RN was properly notified and appeared before the Board without legal counsel. Respondent was made aware of her right to legal counsel but waived her right to legal counsel. The panel hearing in this case was held on July 24, 2007. In their Findings of Fact and Conclusions of Law, the Hearing Panel found that Respondent violated Sections 40-33-110(A)(7). The Hearing Panel recommended the license of Kathy R. Woodside, RN be indefinitely suspended, that reinstatement be subject to Respondent's completion of the previously ordered psychiatric evaluation and review by the Board. A copy of the evaluation was provided to the Board at the meeting.

A motion was made by Ms. Doria to accept the Hearing Panel's Findings of Fact, Conclusions of Law and to reinstate the license of Respondent Kathy R. Woodside, RN based on the evaluation. Dr. Whiting seconded the motion. The motion carried unanimously.

MOTION

Respondent Karen Schaffer, LPN was properly notified but did not appear before the Board and was not represented by legal counsel. The panel hearing in this case was held on September 19, 2007. In their Findings of Fact and Conclusions of Law, the Hearing Panel found that Respondent violated Sections 40-33-110(A)(14). The Hearing Panel recommended that Respondent's license be indefinitely suspended until such time as Respondent appears before the Board and provides evidence that she is enrolled with the Recovering Professional Program (RPP) and compliant with the requirements outlined in the RPP contract.

A motion was made by Dr. Lewis to accept the Hearing Panel's Findings of Fact, Conclusions of Law and Recommendation that the license of Respondent Karen Schaffer, LPN be indefinitely suspended until such time as Respondent appears before the Board and provides evidence that she is enrolled with the Recovering Professional Program (RPP) and compliant with the requirements outlined in the RPP contract. Mr. Pennington seconded the motion. The motion carried unanimously.

MOTION

Respondent Kay Lynn F. Cherney, LPN was properly notified but did not appear before the Board and was not represented by legal counsel. The panel hearing in this case was held on November 20, 2007. In their Findings of Fact and

Conclusions of Law, the Hearing Panel found that Respondent violated Sections 40-33-110(A)(4). The Hearing Panel recommended Respondent's license be indefinitely suspended until such time as Respondent provides proof that her Ohio license has been reinstated, and any restrictions place upon Respondent's license by the State of Ohio shall apply to Respondent's South Carolina license.

A motion was made by Dr. Kearney-Nunnery to accept Hearing Panel's Findings of Fact, Conclusions of Law and Recommendation that the license of Respondent Kay Lynn F. Cherney, LPN be indefinitely suspended until such time as Respondent provides proof that her Ohio license has been reinstated, and any restrictions place upon Respondent's license by the State of Ohio shall apply to Respondent's South Carolina license. Mr. Pennington seconded the motion. The motion carried unanimously.

MOTION

Respondent Kelli Bradburn, LPN was properly notified but did not appear before the Board and was not represented by legal counsel. The panel hearing in this case was held on October 23, 2007. In their Findings of Fact and Conclusions of Law, the Hearing Panel found that Respondent violated Sections 40-33-110(A)(1), (A)(3), (A)(13) and (A)(18). The Hearing Panel recommended Respondent's license be indefinitely suspended, that suspension may be stayed upon Respondent's re-enrollment with the Recovering Professional Program (RPP) and upon receipt of a statement from RPP as to Respondent's safety to practice nursing.

A motion was made by Ms. Doria to accept Hearing Panel's Findings of Fact, Conclusions of Law and Recommendation that the license of Respondent Kelli Bradburn, LPN be indefinitely suspended, that suspension may be stayed upon Respondent's re-enrollment with the Recovering Professional Program (RPP), receipt of a statement from RPP as to Respondent's safety to practice nursing and to add that Respondent must appear before the Board after re-enrollment with the RPP and prior to reinstatement. Mr. Pennington seconded the motion. The motion carried unanimously.

MOTION

Respondent Wanda Kay Carraway, RN was properly notified but did not appear before the Board and was not represented by legal counsel. The panel hearing in this case was held on October 23, 2007. In their Findings of Fact and Conclusions of Law, the Hearing Panel found that Respondent violated Sections 40-33-110 (A)(1), (A)(3), (A)(10) and (A)(13). The Hearing Panel recommended Respondent's license be temporarily suspended; that suspension may be stayed upon re-enrollment with the Recovering Professional Program (RPP) and RPP submits a statement as to Respondent's safety to practice nursing.

A motion was made by Dr. Kearney-Nunnery to accept Hearing Panel's Findings of Fact, Conclusions of Law and Recommendation that the license of Respondent Wanda Kay Carraway, RN be temporarily suspended; that suspension may be stayed upon re-enrollment with the Recovering Professional Program (RPP) and RPP submits a statement as to Respondent's safety to practice nursing. Mr. Pennington seconded the motion. The motion carried unanimously.

MOTION

CONSENT  
AGREEMENTS

The Office of General Counsel and Compliance/Monitoring Section provided the Board with public and private consent agreements for their review and consideration. These consent agreements were signed by respondents in lieu of disciplinary hearings. The Board may accept the agreement as presented, amend the agreement or reject the agreement. Respondents may sign the consent agreement amended by the Board but have the right to request a panel hearing instead of signing the amended agreement.

A motion was made by Dr. Kearney-Nunnery to approve the Private Consent Agreements for Case #2007-107; Case #2007-342, Case #2006-133; Case #2007-188; Case #2007-123; Case #2007-191; Case #2006-294; Case #2007-148;; Case #2007-207; Case #2007-437; Case #2006-114; Case #2007-398; Case #2006-492; Case #2007-141; Case #2006-463; Case #2007-502; Case #2006-14; Case #2007-424; Case #2007-451; Case #2007-219; Case #2007-375 as well as Public Consent Agreements for Case #2007-272; Case #2007-303; Case #2005-422; Case #2007-320; Case #2007-241; Case #2007-300; Case #2007-356; Case #2007-488; Case #2007-394; Case #2006-184; Case #2007-447; Case #2007-459; Case #2007-455; Case #2007-328; Case #2007-453; Case #2006-222; Case #2006-58; Case #2007-277; Case #2007-385; and Case #2007-506 as presented. Ms. Doria seconded the motion. The motion carried unanimously.

MOTION

A motion was made Dr. Kearney-Nunnery to approve Private Consent Agreements presented for two unlicensed practice cases as well as for Public Consent Agreements for a Voluntary Surrender; and two cases of noncompliance with an existing order as presented. Mr. Pennington seconded the motion. The motion passed unanimously.

MOTION

Dr. Kearney-Nunnery recused herself from discussion on consent agreements for Case #2007-387 and Case #2007-189.

The Board reviewed and discussed the public consent agreement for 2007-387; and the private consent agreement for Case #2007-189.

A motion was made by Mr. Pennington to approve the public consent agreement for Case #2007-387; and the private consent agreement for Case #2007-189 as presented. Ms. Doria seconded the motion. The motion carried unanimously.

MOTION

The Board reviewed and discussed the public consent agreement for Case #2007-271.

A motion was made by Ms. Doria to defer action on the public consent agreement for Case #2007-271 until further information is received. Dr. Kearney-Nunnery seconded the motion. The motion carried unanimously.

MOTION

The Board reviewed and discussed the private consent agreement for Case #2006-150.

A motion was made by Dr. Kearney-Nunnery to change the agreement to a public agreement for Case #2006-150. Mr. Pennington seconded the motion. The motion passed unanimously.

MOTION

The Board reviewed and discussed the private consent agreement for Case #2007-156.

A motion was made by Ms. Doria to approve the private consent agreement for Case #2007-156 as presented. Dr. Kearney-Nunnery seconded the motion. The motion carried unanimously.

MOTION

The Board reviewed and discussed the public consent agreement for Case #2007-415.

A motion was made by Dr. Kearney-Nunnery to add completion of an ethics course to the public consent agreement presented for Case #2007-415. Mr. Pennington seconded the motion. The motion passed unanimously.

MOTION

The Board reviewed and discussed the private consent agreement for Case #2007-498.

A motion was made by Ms. Doria to approve the private consent agreement for Case #2007-498 as presented. Dr. Kearney-Nunnery seconded the motion. The motion carried with one nay vote.

MOTION

The Board reviewed and discussed the private consent agreement for Case #2007-432.

A motion was made by Ms. Doria to approve the private consent agreement for Case #2007-432 as presented. Dr. Kearney-Nunnery seconded the motion. The motion carried unanimously.

MOTION

Spartanburg Community College requested that the ADN students be allowed to substitute BIO 240 for the program's NUR 107 requirement. The Advisory Committee on Nursing (ACON) reviewed, discussed the request along with information provided by the school at their February 19, 2008 meeting and recommended Board approval of the request as presented. The South Carolina Technical College System has reviewed the request.

SPARTANBURG  
COMMUNITY  
COLLEGE-  
CURRICULUM

A motion was made by Dr. Kearney-Nunnery to approve the request to allow Spartanburg Community College ADN students to substitute BIO 240 for the program's NUR 107 requirement as presented. Dr. Whiting seconded the motion. The motion carried unanimously.

MOTION

Trident Technical College is proposing an accelerated option of their associate degree nursing (ADN) program. The Advisory Committee on Nursing (ACON) reviewed, discussed the request along with information provided by the school at their February 19, 2008 meeting and recommended Board approval of the request as presented.

TRIDENT TECH.  
COLLEGE  
ACCELERATED  
OPTION

A motion was made by Dr. Whiting to approve Trident Technical College's accelerated option of their associate degree nursing (ADN) program a presented. Dr. Kearney-Nunnery seconded the motion. The motion carried unanimously.

MOTION

Dr. Kearney-Nunnery recused herself from discussion and voting for this matter.

USC – LANCASTER  
AND  
SALKEHATCHIE

The University of South Carolina (USC) Columbia is proposing offering lower division, non-clinical, pre-nursing courses at their sister campuses at USC Lancaster and USC Salkehatchie. The Advisory Committee on Nursing (ACON) reviewed, discussed the request along with information provided by the school at their February 19, 2008 meeting and recommended Board approval of the request as presented. Discussion included but was not limited to students receiving their degrees from USC–Columbia and clinicals being performed in their geographical area.

A motion was made by Dr. Lewis to allow University of South Carolina (USC) Columbia to offer lower division, non-clinical, pre-nursing courses at their sister campuses at USC Lancaster and USC Salkehatchie as presented. Dr. Whiting seconded the motion. The motion carried unanimously.

MOTION

The Board reviewed the January 29, 2008 Site Survey for the ECPI College of Technology (ECPI) practical nursing program. ECPI submitted materials for Board review in response to the findings and recommendations of the survey. At its March 30, 2008 meeting, the Board had granted initial approval status for the ECPI practical nursing program. The first graduating class National Council Licensure Examination–Practical Nurse results have been received and are favorable. ECPI is now requesting that they be granted full approval status.

ECPI

A motion was made by Dr. Kearney-Nunnery to grant full approval to ECPI College of Technology practical nursing program for five years. Dr. Lewis seconded the motion. The motion carried unanimously.

MOTION

Per the Board's request, David Christian, III provided an update on the compliance and monitoring process. Mr. Christian reported that communication is much better. Ms. Martin stated that the new process has merit and a nurse should closely evaluate cases. He agreed and affirmed that expert nurses are also used on some cases prior to the Investigative Review Committee (IRC) meeting. Ms. Martin stressed that it is important that if the Administrator is not available that a masters prepared nurse or nurse with a high level of critical thinking in a specialty review the cases. The Board will be reviewing the composition of the panel.

COMPLIANCE /  
MONITORING  
PROCESS UPDATE

Ms. Martin conveyed that the order of the agenda is being reviewed and will be revised. Revisions will be considered to make better use of Board time and for appearances and the public.

PRESIDENT'S  
REPORT

NCSBN Visit to South Carolina Board of Nursing

Kathy Apple, Executive Director of the National Council of State Boards of Nursing has requested to visit our Board at an upcoming meeting. The purpose of the visit is to better understand how regulation works in our state, how our Board conducts the business of protecting the public, learn about the challenges, and how regulatory policy is developed.

ADMINISTRATOR'S  
REPORT

A motion was made by Ms. Doria to have Joan Bainer coordinate with National Council of State Boards of Nursing regarding their visit. Dr. Whiting seconded the motion. The motion carried unanimously.

MOTION

### Advisory Committee on Nursing

Board Council, Sheridan Spoon, spoke to the Advisory Committee on Nursing at their February 19, 2008. He advised them in executive session about their responsibilities in making recommendations to the Board and how they relate to the regulations. He received very positive reception from the members.

A motion was made by Ms. Doria to accept the December 7, 2007 Advisory Committee on Nursing meeting minutes. Dr. Whiting seconded the motion. The motion carried unanimously.

MOTION

### Advanced Practice Committee

Ms. Bainer reported that at their last meeting, the Advanced Practice Committee (APC) discussed the re-wording of the advisory opinion on regional blocks.

A motion was made by Dr. Kearney-Nunnery to accept the November 2, 2007 Advanced Practice Committee (APC) minutes as presented. Mr. Pennington seconded the motion. The motion carried unanimously.

MOTION

### Nursing Practice and Standards Committee

Ms. Bainer reported that the Nursing Practice and Standards Committee discussed the position statement on pain and is still reviewing Advisory Opinions 5 and 25 to assure that the language is clear. Work continues on the licensed practical nurse decision tree.

A motion was made by Mr. Pennington to accept the December 13, 2007 Nursing Practice and Standards Committee minutes as presented. Dr. Kearney-Nunnery seconded the motion. The motion carried unanimously.

MOTION

### Strategic Planning Meeting Agenda

The Board reviewed that draft Strategic Planning Meeting Agenda provided and requested that medication aides be added for discussion.

### Renewals / Audits

Ms. Bainer reported that to date more than 20,000 nurses have renewed their licenses with more than 16,000 renewing in the month of February.

Audits letters have been sent out to 10 registered nurses, 10 licensed practical nurses and 10 advanced practice registered nurses. Audits will be discussed at the Strategic Planning Meeting.

### Legislation

The "Housekeeping" bill has been enrolled for ratification. The language regarding Christian Science nursing was not included. Title protection and training for nurses were explained to the committee.

Senator Hutto added the requirement for nurses to wear identification to the criminal background check bill. The "Housekeeping" bill was vetoed by the Governor last session because of this item.

### Program Nurse Consultant Position

Interviews will continue to fill the Program Nurse Consultant for Practice position. Ms. Bainer hopes the position will be filled soon.

The Strategic Planning Meeting will be held on April 10, 2008 and the next regular meeting of the Board of Nursing will be on March 15-16, 2008.

ADJOURNMENT

A motion was made by Dr. Lewis to adjourn the meeting at 5:06 p.m. The motion was seconded by Ms. Doria. The motion carried.

MOTION

Respectfully Submitted,  
Dottie Buchanan, APM, Assistant to the Administrator