



South Carolina Department of Labor, Licensing and Regulation

South Carolina Board of Nursing

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May 14-15, 2015 Board of Nursing Meeting Minutes

<p>Board President, Carol Moody, called the Board of Nursing meeting to order at 8:30 a.m. on Thursday, May 14, 2015 and at 8:34 a.m. on Friday, May 15, 2015. Public notice was properly posted at the Board offices as well as on its website and provided to all requesting persons, organizations and news media in compliance with the S.C. Freedom of Information Act. A quorum was present at all times.</p>	<p><u>CALL TO ORDER</u> <u>PLACE OF MEETING</u> <u>& FOIA</u> <u>COMPLIANCE</u></p>
<p>Carol Moody, RN, MAS, NEA-BC, President.....Present Congressional District 4</p> <p>Samuel McNutt, RN, CRNA, MHSA, Vice President.....Present Congressional District 5</p> <p>Amanda Baker, RN, MSN, CRNA, MNA, Secretary.....Present Congressional District 2</p> <p>W. Kay Swisher, RNC, MSN.....Excused Congressional District 3</p> <p>Karen R. Hazzard, MSN, RN, NEA-BC.....Present Congressional District 7</p> <p>Anne Crook, PhD.....Present Public Member</p> <p>James E. Mallory, EdD.....Present Public Member</p> <p><i>One Congressional District 1 Vacancy</i> <i>One Congressional District 6 Vacancy</i></p> <p>Two Licensed Practical Nurse Vacancies</p>	<p><u>BOARD MEMBERS</u> <u>PRESENT & VOTING</u></p>
<p>Nancy Murphy, Board Administrator Karen Blizzard, Program Assistant Kathryn Nedovic, Licensure/ Compliance Supervisor Brittany Johnson, Administrative Assistant, Licensure/ Compliance Darra Coleman, Chief Advice Counsel, LLR Donnell Jennings, Advice Counsel, Board of Nursing Bryan Letteer, Office of Disciplinary Counsel Princess Hodges, Office of Disciplinary Counsel Zubin Billimoria, Office of Disciplinary Counsel Prentiss Shealey, Office of Disciplinary Counsel</p>	<p><u>LLR STAFF</u> <u>PRESENT FOR</u> <u>CERTAIN ITEMS</u></p>
<p>Kay Swisher was excused from the May 14-15, 2015 Board of Nursing meeting.</p>	<p><u>EXCUSED</u> <u>ABSENCES</u></p>

<p>A motion was made by Samuel McNutt to officially excuse Kay Swisher. Anne Crook seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>The May 14-15, 2015 Board of Nursing Meeting Regular Agenda was presented for the Board's review and approval.</p>	<p><u>APPROVAL OF AGENDA</u></p>
<p>A motion was made by Samuel McNutt to approve the May 14-15, 2015 Board of Nursing Regular Agenda. Amanda Baker seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>The Consent Agenda for the May 14-15, 2015 Board of Nursing meeting was presented for the Board's review and approval/ acceptance as information.</p> <ul style="list-style-type: none"> a) For Information: NCLEX RN and PN Summary Statistics for January 1 through March 31, 2015 b) For Acceptance: January 8, 2015 Nursing Practice and Standards Committee Meeting Minutes c) For Information: NLCA Midyear Meeting Survey Results d) For Information: APRN Consensus Model – Core Competencies/ Definitions/ Scope of Practice Information e) For Information: Budget <i>(on table)</i> <p>A motion was made by Anne Crook to approve the Consent Agenda as presented. Samuel McNutt seconded the motion. The motion carried unanimously.</p>	<p><u>APPROVAL OF CONSENT AGENDA</u></p> <p><u>MOTION</u></p>
<p>The March 26-27, 2015 Board of Nursing meeting minutes were presented for the Board's review and approval.</p> <p>A motion was made by Karen Hazzard to approve the March 26-27, 2015 Board of Nursing meeting minutes as presented. Samuel McNutt seconded the motion. The motion carried unanimously.</p>	<p><u>APPROVAL OF MINUTES</u></p> <p><u>MOTION</u></p>
<p><u>Florence Darlington Technical College (FDTC) – ADN Program</u> Sharon Stafford, Department Chair, Maureen Dever-Bumba, Associate Vice President for Health Sciences and Suresh Tiwari, Vice President for Academic and Student Affairs, appeared before the Board to discuss their NCLEX deficiency. The report submitted by Florence Darlington Technical College in response to the deficiency was provided for the Board's review.</p> <p>Discussion included but was not limited to leadership stabilization, institutional support, faculty development, student development, curricular alignment, and course content deficiency/ corrections. The ATI and remediation processes were also discussed.</p> <p>A motion was made by Samuel McNutt to go into executive session for the purpose of receiving legal counsel. The Board asked that Nancy Murphy be present for discussion during executive session. Karen Hazzard seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Karen Hazzard to leave executive session. Samuel McNutt seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p> <p>A motion was made by Amanda Baker that based on the performance of Florence Darlington Technical College on the NCLEX being deficient for the last three to four years, the Board feels that action must be taken. At this time, no</p>	<p><u>RESPONSE TO CITATION FOR 2014 NCLEX PASSING RATE DEFICIENCY</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p>

students shall be enrolled for the Spring of 2016 semester. It is required to return to the Board in September with NCLEX scores and the progress of the plans presented today. Additionally, the Board would like FDTC to include admission criteria and how it is weighted, a chart showing the students with their entrance GPA, their graduating GPA, and their pass/ fail on the NCLEX, as well as any ATI correlation. Samuel McNutt seconded the motion. The motion carried unanimously.

Fortis College – ADN Program

Sheryl Mason, Dean of Nursing, Linda Ketchum, Associate Dean of Nursing, JoAnna Hill, Regional Dean of Nursing and Jennifer Yarnell, Campus President, appeared before the Board to discuss their NCLEX deficiency. The report submitted by Fortis College in response to the deficiency was provided for the Board's review.

Discussion included but was not limited to changes in grading policy, HESI processes, leadership/ faculty turnover, pre and post-simulation conferences, admission criteria, review processes, faculty development and institutional support.

A motion was made by Anne Crook to go into executive session for the purpose of receiving legal counsel. The Board asked that Nancy Murphy be present for discussion during executive session. Karen Hazzard seconded the motion. The motion carried unanimously.

MOTION

A motion was made by Samuel McNutt to leave executive session. Karen Hazzard seconded the motion. The motion carried unanimously. No official actions were taken during executive session.

MOTION

A motion was made by Amanda Baker to accept the action plan presented today and require a return to the Board in September with NCLEX scores and the progress of the plan presented. As well include the entrance GPA, graduate GPA, and pass/ fail of the NCLEX, and if available, HESI scores with correlation of students. Also at the September meeting, the status of the program will be decided. The Board also supports continuing to look at the quality and quantity of students. Samuel McNutt seconded the motion. The motion carried unanimously.

MOTION

Northeastern Technical College (NETC) - ADN Program

Margaret Hope, Department Chair, Vicky Craig, Nursing Consultant, Forest Mahan, Vice President Academic Affairs and Student Services and Heath Milligan, Dean of Instruction, appeared before the Board to discuss their NCLEX deficiency. The report submitted by Northeastern Technical College in response to the deficiency was provided for the Board's review.

Discussion included but was not limited to ATI processes, review strategies, assistance to decrease student's delay in taking NCLEX after graduation, faculty turnover/ stabilization, faculty development/ support and increasing admission criteria.

A motion was made by Samuel McNutt to go into executive session for the purpose of receiving legal counsel. The Board asked that Nancy Murphy be present for discussion during executive session. Karen Hazzard seconded the

MOTION

<p>motion. The motion carried unanimously.</p> <p>A motion was made by Samuel McNutt to leave executive session. Karen Hazzard seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p> <p>A motion was made by Samuel McNutt to accept the action plan by Northeastern Technical College as presented and require a return to the Board of Nursing in September with NCLEX scores and progress of the plan presented today, as well as to include information, preferably in a graph or table of the entrance GPAs, the graduate GPAs, pass/fail of NCLEX on those students without their names, and if available, the correlation of ATI scores with those students. At the September meeting the report of the site survey will be determined as well. Amanda Baker seconded the motion. The motion carried unanimously.</p> <p><u>Denmark Technical College (DTC) - LPN Program</u> Valerie Fields, Vice President of Academic Affairs, Lynn Wallace, Nursing Instructor, Leigh Brabham, Nursing Instructor and Teneane Foster, Nursing Instructor, appeared before the Board to discuss their NCLEX deficiency. The report submitted by Denmark Technical College in response to the deficiency was provided for the Board's review.</p> <p>Discussion included but was not limited to change/ transition in nursing leadership, progression processes, Kaplan processes, review strategies, admission criteria changes and attrition.</p> <p>A motion was made by Samuel McNutt to go into executive session for the purpose of receiving legal counsel. The Board asked that Nancy Murphy be present for discussion during executive session. Karen Hazzard seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Samuel McNutt to leave executive session. Karen Hazzard seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p> <p>A motion was made by Samuel McNutt to accept the report of Denmark Technical College as presented with a return in November with NCLEX scores and progress of the plan as presented today, at which point provide an analysis of the admission criteria on the ASSET scores from Kaplan PN integrated tests. Karen Hazzard seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p>
<p>Joseph Masessa, MD and Misty Seawright, DNP, appeared before the Board to request a waiver of the forty-five mile restriction for physician supervision of an APRN.</p> <p>Discussion included but was not limited to duties/ role of the nurse practitioner and physician, geographic and supervisory restrictions including the availability/ distance of the physician to the nurse practitioner during patient care.</p> <p>A motion was made by Anne Crook to grant the exception to the mileage</p>	<p><u>REQUEST FOR WAIVER OF 45-MILEAGE RESTRICTION DERMATOLOGY AND SKIN CANCER OF SOUTH CAROLINA JOSEPH MASESSA MD AND MISTY SEAWRIGHT DNP</u></p> <p><u>MOTION</u></p>

<p>restriction. Amanda Baker seconded the motion. The motion carried unanimously.</p> <p>Note: If approved by the Board of Nursing, the request must also be reviewed by the Board of Medical Examiners. (§40-33-20 (52) ". . . When application is made for more than three NP's, CNM's, or CNS's to practice with one physician, or when a NP, CNM, or CNS is performing delegated medical acts in a practice site greater than forty-five miles from the physician, the Board of Nursing and Board of Medical Examiners shall each review the application to determine if adequate supervision exists.").</p>	
<p>At its April 9, 2015 meeting, the Nursing Practice and Standards Committee (NPSC) reviewed/ discussed Advisory Opinion (AO) #32 and recommended the Board approve the revisions as presented.</p> <p>Lena Warner, NPSC Chair, appeared before the Board to present the revisions and to respond to questions.</p> <p>A motion was made by Samuel McNutt to accept the changes to AO #32 as presented. Karen Hazzard seconded the motion. The motion carried unanimously.</p>	<p><u>NURSING PRACTICE AND STANDARDS COMMITTEE (NPSC) ADVISORY OPINION CHANGES – AO #32</u></p> <p><u>MOTION</u></p>
<p>At its January 8, 2015 meeting, the NPSC recommended the Board approve the proposed Advisory Opinion #65 as presented.</p> <p>Is it within the role and scope of practice for a registered nurse trained in peripherally inserted central catheter (PICC) placement and certified in vascular access to obtain informed consent for the procedure of inserting a PICC?</p> <p>At its March 26-27, 2015 meeting, the Board voted to send the proposed Advisory Opinion #65 back to the NPSC for further research and review.</p> <p>At its April 9, 2015 meeting, the NPSC recommended the Board approve the following proposed Advisory Opinion as presented.</p> <p>Lena Warner, NPSC Chair, appeared before the Board to present the proposed AO and to respond to questions.</p> <p>Discussion included but was not limited to regulatory standards, Joint Commission, CMS and other states performing the procedure.</p> <p>A motion was made by Samuel McNutt to accept the recommendation and send it to the Medical Board for their endorsement. Amanda Baker seconded the motion. The motion carried unanimously.</p>	<p><u>NURSING PRACTICE AND STANDARDS COMMITTEE (NPSC) PROPOSED ADVISORY OPINION (AO) #65-IS IT WITHIN THE ROLE AND SCOPE OF PRACTICE FOR A REGISTERED NURSE TRAINED IN PERIPHERALLY INSERTED CENTRAL CATHETER (PICC) PLACEMENT AND CERTIFIED IN VASCULAR ACCESS TO OBTAIN INFORMED CONSENT FOR THE PROCEDURE OF INSERTING A PICC?</u></p> <p><u>MOTION</u></p>
<p>At its April 9, 2015 meeting, the NPSC voted to forward the Patient Abandonment position statement to the Board for approval of review with no recommended changes at this time.</p>	<p><u>NURSING PRACTICE AND STANDARDS COMMITTEE (NPSC) POSITION STATEMENT NO</u></p>

<p>A motion was made by Samuel McNutt to accept the position statement as reviewed with no recommended changes at this time. Amanda Baker seconded the motion. The motion carried unanimously.</p>	<p><u>CHANGES/ REVIEWED PATIENT ABANDONMENT</u></p> <p><u>MOTION</u></p>
<p>A motion was made by Samuel McNutt to go into executive session for the purpose of legal counsel with members of Office of Investigations (OIE), Office of Disciplinary Council (ODC), Investigative Review Committee (IRC) and staff remaining. Amanda Baker seconded the motion. The motion carried unanimously.</p> <p>A motion was made by James Mallory to leave executive session. Samuel McNutt seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p> <p>A motion was made by Amanda Baker to re-organize the agenda and carry over the agenda item Administrative Suspension Process to the next meeting July 2015. Samuel McNutt seconded the motion. The motion carried unanimously.</p>	<p><u>OFFICE OF INVESTIGATIONS AND ENFORCEMENT (OIE) EXECUTIVE SESSION- COMPLAINT INVESTIGATIVE PROCESS, AGREEMENT TO VOLUNTARILY RELINQUISH LICENSE AND ADMINISTRATIVE SUSPENSION PROCESS</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p>
<p>At its March 2015 meeting, the Board approved the proposed Joint Advisory Opinion of the SC Board of Medical Examiners and the SC Board of Nursing Regarding Administrative Process for the Approval of the Exemption Requests Involving Advanced Practice Registered Nurses to expedite routine APRN exemption requests. The AO was then forwarded to the BME for their review and revisions were made to add enhanced language specific to the administrative process.</p> <p>Darra Coleman reviewed the proposed changes made by the BME with the BON. Discussion included but was not limited to timeliness of the exemption proceedings.</p>	<p><u>ADVICE COUNSEL- PROPOSED JOINT ADVISORY OPINION (AO) OF THE SC BOARD OF MEDICAL EXAMINERS AND THE SC BOARD OF NURSING REGARDING ADMINISTRATIVE PROCESS FOR THE APPROVAL OF THE EXEMPTION</u></p>

<p>A motion was made by Anne Crook to accept the changes from the Board of Medical Examiners to the Joint Advisory Opinion as presented today and that it be made effective today and permission is granted for administration to publish it on the Board of Nursing and Board of Medical Examiners websites. Karen Hazzard seconded the motion. The motion carried unanimously.</p> <p>A subsequent motion was made by Anne Crook nominating Carol Moody and Samuel McNutt to serve as committee members and Amanda Baker to serve as an alternate member of the Joint Advisory Opinion Committee. James Mallory seconded the motion. The motion carried unanimously.</p>	<p><u>REQUESTS INVOLVING ADVANCED PRACTICE REGISTERED NURSES</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p>
<p>Mark Sanders, Chief Investigator for the Office of Investigations and Enforcement (OIE) presented the Investigative Review Committee (IRC) Report (<i>Closed Session</i>) with recommendations from its meetings held since the March 2015 Board meeting.</p> <p>The Disciplinary Sanctions Guidelines Matrix is used by the IRC in making these recommendations.</p> <p>A motion was made by Samuel McNutt to approve 20 cases for Dismissal as recommended by the Investigative Review Committee (IRC). Karen Hazzard seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Samuel McNutt to approve the 1 Cease and Desist case as recommended by the Investigative Review Committee (IRC). Karen Hazzard seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Samuel McNutt to approve 44 cases for Formal Complaints as recommended by the Investigative Review Committee (IRC). Karen Hazzard seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Samuel McNutt to approve 14 Letters of Caution as recommended by the Investigative Review Committee (IRC). Karen Hazzard seconded the motion. The motion carried unanimously.</p> <p>Mr. Sanders presented the OIE Statistical report 1st quarter 2015. There were 135 cases received for 1st quarter 2015. There were 214 cases closed for the 1st quarter 2015.</p>	<p><u>OFFICE OF INVESTIGATIONS AND ENFORCEMENT (OIE)- CLOSED SESSION-</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p>
<p>Respondents appeared before the Board to request modifications to their consent agreements or Board orders. The Board also reviewed Memoranda of Agreement (MOA) stipulating to violations of the Nurse Practice Act to determine disciplinary actions and reviewed recommendations from panel hearings.</p> <p>In Case # 2012-474, respondent signed a Memorandum of Agreement (MOA) and Stipulations and waived the right to a panel hearing. Respondent appeared and was represented by legal counsel J. Ben Alexander, Esq.</p>	<p><u>HEARINGS/ DISCIPLINE (CONFIDENTIAL)</u></p>

A motion was made by Samuel McNutt to go into executive session for the purpose of receiving legal counsel. Amanda Baker seconded the motion. The motion carried unanimously.

MOTION

A motion was made by Samuel McNutt to leave executive session. Amanda Baker seconded the motion. The motion carried unanimously. No official actions were taken during executive session.

MOTION

In Case # 2012-474, a motion was made by Karen Hazzard to adopt the Memorandum of Agreement (MOA) as written, issue a private reprimand, completion of Documentation, Medical Error and Critical Thinking courses and a civil penalty in the amount of \$500. Compliance with the above sanctions is to be completed within six months of the effective date of the order. Anne Crook seconded the motion. The motion carried unanimously.

MOTION

In Case # 2011-289, 2012-269, respondent signed a Memorandum of Agreement (MOA) and waived the right to a panel hearing. Respondent appeared and was represented by legal counsel Andrew J. Johnston, Esq.

A motion was made by Samuel McNutt to go into executive session for the purpose of receiving legal counsel. Karen Hazzard seconded the motion. The motion carried unanimously.

MOTION

A motion was made by Samuel McNutt to leave executive session. Karen Hazzard seconded the motion. The motion carried unanimously. No official actions were taken during executive session.

MOTION

In Case # 2011-289, 2012-269, a motion was made by Amanda Baker to accept the Memorandum of Agreement (MOA) with the following sanctions: a public reprimand; a \$1500 civil penalty payable within one year; the completion of the ethics course within one year and evaluation by RPP. If there is no diagnosis, the suspension of license will be lifted. If there is a diagnosis, respondent must comply with RPP and reappear before the Board. Samuel McNutt seconded the motion. The motion carried unanimously.

MOTION

In Case # 2012-503, respondent signed a Memorandum of Agreement (MOA) and waived the right to a panel hearing. Respondent appeared and was represented by legal counsel Robyn W. Madden, Esq.

A motion was made by Samuel McNutt to go into executive session for the purpose of receiving legal counsel. Amanda Baker seconded the motion. The motion carried unanimously.

MOTION

A motion was made by James Mallory to leave executive session. Samuel McNutt seconded the motion. The motion carried unanimously. No official actions were taken during executive session.

MOTION

In Case # 2012-503, a motion was made by Karen Hazzard to accept the Memorandum of Agreement (MOA) with the following sanctions: a \$250 civil penalty, completion of a Documentation course, issue of a private reprimand and completion and compliance of sanctions within six months. Samuel McNutt seconded the motion. The motion carried unanimously.

MOTION

In Case # 2012-455, respondent signed a Memorandum of Agreement (MOA) and waived the right to a panel hearing. Respondent did not appear and was not represented by legal counsel.

In Case # 2012-455, a motion was made by Samuel McNutt to accept the Memorandum of Agreement (MOA), issue a public reprimand, a \$500 civil penalty payable within six months and completion of Documentation and Ethics courses. Karen Hazzard seconded the motion. The motion carried unanimously.

MOTION

In Case # 2015-143, respondent requested to modify an existing final order/ consent agreement. Respondent appeared and was represented by legal counsel Robyn W. Madden, Esq.

A motion was made by Samuel McNutt to go into executive session for the purpose of receiving legal counsel. Karen Hazzard seconded the motion. The motion carried unanimously.

MOTION

A motion was made by Samuel McNutt to leave executive session. Karen Hazzard seconded the motion. The motion carried unanimously. No official actions were taken during executive session.

MOTION

In Case # 2015-143, motion was made by Samuel McNutt to deny the expungement request at this point and the request to modify is denied at this point. RPP evaluation. If there is not a diagnosis then the current restrictions would be lifted. If there is a positive diagnosis respondent must comply with RPP and the current restrictions would remain in place. Karen Hazzard seconded the motion. The motion carried unanimously.

MOTION

Subsequent discussion included but was not limited to a request from respondent's legal counsel for submission and further consideration of an evaluation conducted during the relevant time period.

A motion was made by Anne Crook to accept consideration of additional information. James Mallory seconded the motion. Two opposed. The motion carried with a tie breaker vote from Carol Moody.

MOTION

A motion was made by Samuel McNutt to go into executive session for the purpose of receiving legal counsel. Karen Hazzard seconded the motion. The motion was carried unanimously.

MOTION

A motion was made by Samuel McNutt to leave executive session. Karen Hazzard seconded the motion. The motion carried unanimously. No official actions were taken during executive session.

MOTION

A motion was made by Anne Crook to deny the expungement and grant the lifting of the remaining restrictions. The other parts of the Consent Order will remain in force, but have already been completed by respondent. James Mallory seconded the motion. The motion carried unanimously.

MOTION

In Case # 2014-388, respondent signed a Memorandum of Agreement (MOA) and waived the right to a panel hearing. Respondent was aware of his/ her right to legal counsel and waived that right. Respondent appeared and was not

<p>represented by legal counsel.</p>	
<p>A motion was made by Samuel McNutt to go into executive session for the purpose of receiving legal counsel. Karen Hazzard seconded the motion. The motion was carried unanimously.</p>	<p><u>MOTION</u></p>
<p>A motion was made by Samuel McNutt to leave executive session. Karen Hazzard seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p>	<p><u>MOTION</u></p>
<p>In Case # 2014-388, a motion was made by Samuel McNutt to accept the Memorandum of Agreement (MOA), issue a one year suspension with stay, a \$500 civil penalty payable within one year, completion of an Ethics course within one year and continue with RPP. Karen Hazzard seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>In Case # 2012-84, respondent signed a Memorandum of Agreement (MOA) and waived the right to a panel hearing. Respondent was aware of his/ her right to legal counsel and waived that right. Respondent appeared and was not represented by legal counsel.</p>	
<p>A motion was made by Samuel McNutt to go into executive session for the purpose of receiving legal counsel. Karen Hazzard seconded the motion. The motion was carried unanimously.</p>	<p><u>MOTION</u></p>
<p>A motion was made by Samuel McNutt to leave executive session. Karen Hazzard seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p>	<p><u>MOTION</u></p>
<p>In Case # 2012-84, a motion was made by Karen Hazzard to accept the Memorandum of Agreement (MOA) and require an RPP evaluation to be completed within 30 days from issue date of Order and to return to the Board of Nursing with the findings. Samuel McNutt seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>In Case 2012-72, 2012-11, a panel hearing was held on February 10, 2015. The panel hearing recommendations were presented to the Board for review and consideration. Respondent did not appear and was not represented by legal counsel.</p>	
<p>In Case 2012-72, 2012-11, a motion was made by Samuel McNutt to accept the panel hearing recommendation of permanent revocation. Karen Hazzard seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>In Case 2012-21, a panel hearing was held on February 10, 2015. The panel hearing recommendations were presented to the Board for review and consideration. Respondent did not appear and was not represented by legal counsel.</p>	
<p>In Case 2012-21, a motion was made by Samuel McNutt to accept the panel hearing recommendations: completion of Documentation, Ethics and Legal Aspects courses, \$500 fine payable in one year of effective date of order, issue a</p>	<p><u>MOTION</u></p>

public reprimand, must be re-evaluated by RPP, shall comply with RPP evaluation, treatment and monitoring, must appear before Board prior to applying for reinstatement. Suspension term is indefinite. Karen Hazzard seconded the motion. The motion carried unanimously.

In Case 2011-34, a panel hearing was held on January 15, 2015. The panel hearing recommendations were presented to the Board for review and consideration. Respondent did not appear and was not represented by legal counsel.

In Case 2011-34, a motion was made by Samuel McNutt to accept the panel hearing recommendations: issue a public reprimand, a \$500 civil penalty, completion of Legal Aspects and Ethics courses and re-enroll in RPP. License to practice shall be suspended indefinitely until respondent requests reinstatement by the Board. Prior to requesting reinstatement, respondent must satisfy all the above requirements.

MOTION

In Case # 2015-70, respondent requested to modify an existing final order/ consent agreement. Respondent was aware of his/ her right to legal counsel and waived that right. Respondent appeared and was not represented by legal counsel.

A motion was made by Karen Hazzard to go into executive session for the purpose of receiving legal counsel. The Board asked that Nancy Murphy be present for discussion during executive session. Samuel McNutt seconded the motion. The motion carried unanimously.

MOTION

A motion was made by Karen Hazzard to leave executive session. Samuel McNutt seconded the motion. The motion carried unanimously. No official actions were taken during executive session.

MOTION

In Case # 2015-70, motion was made by Anne Crook to make the consent agreement private. Samuel McNutt seconded the motion. The motion carried unanimously.

MOTION

In Case # 2015-145, respondent requested to modify an existing final order/ consent agreement. Respondent was aware of his/ her right to legal counsel and waived that right. Respondent appeared and was not represented by legal counsel.

In Case # 2015-145, motion was made by Samuel McNutt to grant request for removal of restrictions. Anne Crook seconded the motion. The motion carried unanimously.

MOTION

In Case # 2015-146, respondent requested to modify an existing final order/ consent agreement. Respondent was aware of his/ her right to legal counsel and waived that right. Respondent appeared and was not represented by legal counsel.

In Case # 2015-146, motion was made by Samuel McNutt to grant the request. Karen Hazzard seconded the motion. The motion carried unanimously.

MOTION

<p>A motion was made by Samuel McNutt to adjourn the meeting on May 14, 2015 at 6:02 p.m. Karen Hazzard seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION TO ADJOURN</u></p>
<p>Friday, May 15, 2015</p> <p>Darra Coleman recognized all of the Board of Nursing staff members/ team who were nominated by Nancy Murphy for the LLR Public Servant Award for demonstrating extraordinary commritment to the public by consistently high outstanding exceptional service excellence performance for our nursing community and customers.</p>	
<p>The Board reviewed Memoranda of Agreement (MOA) stipulating to violations of the Nurse Practice Act to determine disciplinary action. The Board also reviewed certification/ grandfathering, Test of English as a Foreign Language (TOEFL), and "yes" response(s) for reinstatement, endorsement and examination application matters.</p> <p>In Case # 2013-49, respondent signed a Memorandum of Agreement (MOA) and waived the right to a panel hearing. Respondent appeared and was represented by legal counsel Kathy R. Schillaci, Esq. and Joe McCulloch, Esq.</p> <p>A motion was made by Samuel McNutt to go into executive session for the purpose of receiving legal counsel. Amanda Baker seconded the motion. The motion carried unanimously.</p> <p>A motion was made by Samuel McNutt to leave executive session. Amanda Baker seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p> <p>In Case # 2013-49, a motion was made by Samuel McNutt to accept the Memorandum of Agreement (MOA) and issue a public reprimand with one year suspension with stay, a \$500 civil penalty, Ethics and Legal Aspects courses completed within six months, continued RPP with an additional Propofol monitoring with RPP. There will be no narcotics restrictions, and a supervisor and quarterly reports for one year to be consistent with what we have done. Amanda Baker seconded the motion. The motion carried unanimously.</p> <p>An applicant for licensure as an advanced practice registered nurse appeared before the Board regarding the certification requirement -- grandfathering matter. Respondent appeared and was represented by legal counsel Robyn W. Madden, Esq.</p> <p>Carol Moody recused herself from the proceedings. A quorum was still present.</p> <p>A motion was made by Karen Hazzard to go into executive session for the</p>	<p><u>HEARINGS/ DISCIPLINE/ APPLICATION APPEARANCES (CONFIDENTIAL)</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p> <p><u>MOTION</u></p>

purpose of receiving legal counsel. Amanda Baker seconded the motion. The motion carried unanimously.

A motion was made by Karen Hazzard to leave executive session. Amanda Baker seconded the motion. The motion carried unanimously. No official actions were taken during executive session.

MOTION

A motion was made by Anne Crook to grant the renewal of the APRN license so that the applicant can continue in the role as an oncology specialist and to include prescriptive authority. Karen Hazzard seconded the motion. The motion carried unanimously with the recusal of Carol Moody.

MOTION

An applicant for licensure as a licensed registered nurse by endorsement appeared before the Board regarding the Test of English as a Foreign Language (TOEFL) requirement. Respondent was aware of his/ her right to legal counsel and waived that right. Respondent appeared and was not represented by legal counsel.

A motion was made by Anne Crook to not grant the license by endorsement from California until the TOEFL issue is successfully dealt with. Amanda Baker seconded the motion. The motion carried unanimously.

MOTION

An applicant for licensure as a licensed practical nurse (LPN) by exam appeared before the Board. Respondent was aware of his/ her right to legal counsel and waived that right. Respondent appeared and was not represented by legal counsel.

A motion was made by Anne Crook to grant the LPN license by exam. Karen Hazzard seconded the motion. The motion was carried unanimously.

MOTION

An applicant for licensure as a licensed practical nurse (LPN) by exam did not appear before the Board at the March 2015 Board meeting and was rescheduled, noticed and given the opportunity to appear at the May 2015 Board meeting. Respondents name was called and respondent did not respond or appear and was not represented by legal counsel.

A motion was made by Karen Hazzard to deny the licensed practical nurse by exam request. Amanda Baker seconded the motion. The motion carried unanimously.

MOTION

An applicant for licensure as a licensed registered nurse by endorsement did not appear before the Board. Respondents name was called and respondent did not respond or appear and was not represented by legal counsel. Respondent will be rescheduled for next Board meeting.

An applicant for licensure as a licensed practical nurse by reinstatement did not appear before the Board. Respondents name was called and respondent did not respond or appear and was not represented by legal counsel. Respondent will be rescheduled for next Board meeting.

An applicant for licensure as a licensed practical nurse by reinstatement did not appear before the Board. Respondents name was called and respondent did not

<p>respond or appear and was not represented by legal counsel. Respondent will be rescheduled for next Board meeting.</p> <p>An applicant for licensure as a licensed practical nurse by endorsement appeared before the Board. Respondent was aware of his/ her right to legal counsel and waived that right. Respondent appeared and was not represented by legal counsel.</p> <p>A motion was made by Samuel McNutt to grant a single-state license in South Carolina mirroring the Virginia and Ohio Order. Amanda Baker seconded the motion. The motion carried unanimously.</p>	<p><u>MOTION</u></p>
<p>Carol Moody shared that she and Nancy Murphy attended the National Council of State Boards of Nursing (NCSBN) special called Delegate Assembly in Chicago on May 4, 2015. As a state and as the Board's delegates, they voted in favor of the registered/ licensed practical nurse revised multi-state Compact language and abstained in the vote regarding the revised advanced practice registered nurse Compact, secondary to the pending legislation currently before the House and Senate here in South Carolina.</p>	<p><u>PRESIDENT'S REPORT – NCSBN SPECIAL DELEGATE ASSEMBLY</u></p>
<p>The National Council of State Boards of Nursing (NCSBN) Annual Meeting will be held in Chicago, Illinois on August 19-21, 2015.</p> <p>A motion was made by Karen Hazzard for Carol Moody, Board President, and Nancy Murphy, Board Administrator, to attend the national meeting August 19-21, 2015. Samuel McNutt seconded the motion. The motion carried unanimously.</p>	<p><u>PRESIDENT'S REPORT – NCSBN ANNUAL MEETING</u></p> <p><u>MOTION</u></p>
<p>Members from the Federation of State Medical Boards (FSMB), National Association of Boards of Pharmacy (NABP), and National Council of State Boards of Nursing (NCSBN) will join together for the 2015 Tri-Regulator Symposium to discuss opportunities for inter-professional cooperation and the challenges facing state medical, nursing and pharmacy boards in Arlington, VA on October 6-7, 2015.</p> <p>A motion was made by Samuel McNutt to approve travel for Nancy Murphy to attend the Tri-Regulator Symposium in Arlington, VA on October 6-7, 2015. Karen Hazzard seconded the motion. The motion carried unanimously.</p>	<p><u>PRESIDENT'S REPORT- 2015 TRI-REGULATOR SYMPOSIUM</u></p> <p><u>MOTION</u></p>
<p>Samuel McNutt provided a report update regarding Governor Haley's Domestic Violence Task Force. He relayed that the task force is gathering data. Updates will be provided as information becomes available.</p>	<p><u>PRESIDENT'S REPORT- GOVERNOR HALEYS DOMESTIC VIOLENCE TASK FORCE REPORT - SAMUEL MCNUTT</u></p>
<p>Carol Moody shared information regarding pending legislation of Bills 3078, 246 and 371.</p>	<p><u>PRESIDENT'S REPORT-BOARD OF NURSING LEGISLATIVE COMMITTEE REPORT</u></p>

<p>At its April 9, 2015 meeting, the NPSC recommended the Board approve the appointment of Shannon Nicole Kelly-Hill as the Acute Care Registered Nurse Representative and Jan R. Burdette and the LPN Representative Committee Member.</p> <p>The nomination forms were provided for the Board's review and it was noted that Jan R. Burdette is one of the individuals that is in the process of being considered for appointment to the Board and therefore, would not be eligible for committee membership at this time.</p> <p>A motion was made by Samuel McNutt to accept the recommendation from the Nursing Practice and Standards Committee (NPSC) to appoint Shannon Nicole Kelly-Hill as the Acute Care Registered Nurse Representative. Amanda Baker seconded the motion. The motion carried unanimously.</p>	<p><u>ADMINISTRATORS</u> <u>REPORT-NURSING</u> <u>COMMITTEE</u> <u>MEMBER</u> <u>NOMINATIONS –</u> <u>NURSING</u> <u>PRACTICE AND</u> <u>STANDARDS</u> <u>COMMITTEE</u> <u>(NPSC) MEMBER</u> <u>NOMINATIONS-</u> <u>ACUTE CARE</u> <u>REGISTERED</u> <u>NURSING AND LPN</u> <u>REPRESENTATIVES</u></p> <p><u>MOTION</u></p>
<p>Shaunda Trotter has been recommended for approval to serve as a nursing panel hearing member. A CV was provided for the Board's review.</p> <p>A motion was made by Anne Crook to approve the nomination of Shaunda Trotter to serve as a panel hearing member. Karen Hazzard seconded the motion. The motion carried unanimously.</p>	<p><u>ADMINISTRATORS</u> <u>REPORT-NURSING</u> <u>BOARD PANEL</u> <u>REVIEWER</u> <u>NOMINATION</u></p> <p><u>MOTION</u></p>
<p>Anne Crook shared that she would need someone to replace her as the Board's liaison for the June ACON meeting. Karen Hazzard volunteered to attend in her absence.</p>	
<p>E-Notify is a National Council of State Boards of Nursing (NCSBN) resource for facilities to automatically receive publicly available discipline and licensure status updates of their facility nurses. Facilities may access the link to this NCSBN resource on the website homepage for information/ questions/ enrollment.</p>	<p><u>ADMINISTRATORS</u> <u>REPORT-NCSBN</u> <u>E-NOTIFY</u></p>
<p>The Board was contacted by the American Association of Critical Care Nurses (AACN) Certification Corporation to add the certification Adult Neonatal and Pediatric Wellness through Acute Care to the Board approved advanced practice certification organizations.</p> <p>Discussion included but was not limited to the National Council on State Boards of Nursing affirmation that the AACN exams for CNS are within the accepted parameters for exams meeting the NCSBN accreditation and Certification Criteria. The request has not yet been on the Advanced Practice Meeting agenda for recommendation as the next meeting is scheduled for August 2015.</p> <p>A motion was made by Samuel McNutt to post the certification of Adult Neonatal Pediatric Wellness through Acute Care on the Board of Nursing website, pending</p>	<p><u>ADMINISTRATORS</u> <u>REPORT-BOARD</u> <u>APPROVED</u> <u>ADVANCED</u> <u>PRACTICE</u> <u>CERTIFICATION</u> <u>ORGANIZATIONS</u></p> <p><u>MOTION</u></p>

<p>final recommendation by the Advanced Practice Committee (APC). Anne Crook seconded the motion. The motion carried unanimously.</p>	
	<u>ADVICE COUNSEL</u>
<p><u>Nursing Practice Inquiries Process</u> A motion was made by Karen Hazzard to go into executive session for the purpose of receiving legal counsel. The Board asked that Nancy Murphy be present for discussion during executive session. Samuel McNutt seconded the motion. The motion carried unanimously.</p>	<u>MOTION</u>
<p>A motion was made by Samuel McNutt to leave executive session. Amanda Baker seconded the motion. The motion carried unanimously. No official actions were taken during executive session.</p>	<u>MOTION</u>
<p>A motion was made by Anne Crook to appoint a committee that will look at the resources currently available for practices to answer questions that are routinely sent to Board staff, that they are currently not equipped to answer. These have to do with the practices for both Registered Nurses (RNs) and Advanced Practice Registered Nurses (APRNs). The recommended committee make up would be the administrator, our legal counsel, the President or a member of the Nursing Board, and a person from the Nursing Practice and Standards Committee. And also they would have authority to expand their committee if they see fit. Amanda Baker seconded the motion. The motion carried unanimously.</p>	<u>MOTION</u>
<p><u>Disciplinary Guidelines Matrix</u> A motion was made by Karen Hazzard to convene a separate task force to review and revise our current disciplinary sanctions guidelines chart. Samuel McNutt seconded the motion. The motion carried unanimously. Karen Hazzard volunteered to serve as the Board of Nursing representative.</p>	<u>MOTION</u>
<p><u>Expungement Policy</u> A motion was made by Samuel McNutt to direct staff and counsel to publish the fact that we do not have an expungement policy in this state, nor are we likely to have one in the foreseeable future, and that the changing of public to private reprimands is going to be basically non-existent.</p> <p>Discussion included but was not limited to compact changes relating to public and private reprimands.</p> <p>A motion was made by Samuel McNutt to amend the motion that there is not an expungement policy from this point forward. Anne Crook seconded the motion. the motion carried unanimously.</p>	<u>MOTION</u>
<p>A bankruptcy case update was received for informational purposes only.</p>	<u>ADVICE COUNSEL</u> <u>BANKRUPTCY</u> <u>CASE UPDATE</u>
<p>A motion was made by Samuel McNutt to adjourn the meeting at 11:34 a.m. Karen Hazzard seconded the motion. The motion carried unanimously.</p> <p>NOTE: These minutes are a brief summary of the meeting and a record of the motions and official actions taken by the Board.</p>	<u>MOTION TO</u> <u>ADJOURN</u>