

**South Carolina Board of Nursing**

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Samuel McNutt, President of the South Carolina State Board of Nursing called the January meeting to order at 8:29 a.m. on November 29, 2018. Public notice was properly posed at the Board offices, as well as on its website. A copy was provided to all requesting persons, organizations and news media agencies in compliance with the SC Freedom of Information Act. A quorum was present at all times.

Member	Representing		COMMITTEE MEMBERS PRESENT & VOTING
Samuel McNutt, RN, CRNA, MHSA	Board of Nursing President 5 th Congressional District	Present	
Kay Swisher, RN, MSN	Board of Nursing Vice-President 3 rd Congressional District	Present	
Karen Hazzard, MSN, RN, NEA-BC	Board of Nursing Secretary 7 th Congressional District	Excused	
Jacqueline L. Baer, RN, D-NP	1 st Congressional District	Present 11-29 Excused 11-30	
Eric Sellers, RN	2 nd Congressional District	Present	
Jan Burdette, LPN	At-Large, LPN	Present	
Sallie Beth Todd, RN, MSN-Ed	4 th Congressional District	Present	
Neil B. Lipsitz	Public Member	Present	
Vacancy	6 th Congressional District	Vacant	
Vacancy	At-Large, LPN	Vacant	
Vacancy	Public Member	Vacant	

Carol Moody, Administrator, Board of Nursing (Not Present)	LLR STAFF PRESENT
Bob Horner, Advice Counsel for the Board of Nursing	
Christie Watson, Board of Nursing Program Assistant	
Jennifer Draper, Board of Nursing Administrative Coordinator	
Mindy Carithers, Nurse Practice Consultant, Board of Nursing	
Peter Kubas, Nurse Education Consultant, Board of Nursing	
Tina Brown, Assistant Disciplinary Counsel	
Shanika Johnson, Assistant Disciplinary Counsel	
Princess Hodges, Assistant Disciplinary Counsel	
Erin Baldwin, Assistant Disciplinary Counsel	
Prentiss Shealey, Assistant Disciplinary Counsel	
Rowland Alston, Assistant Disciplinary Counsel	
Megan Flannery, Assistant Disciplinary Counsel	
Mark Sanders, Chief Investigator, Office of Investigations and Enforcement	
Gary Haygood, Court Reporter	

EXCUSED ABSENCE:

Motion to excuse Ms. Hazzard from the meeting. Motion carried.

APPROVAL OF AGENDA:

Motion to approve the agenda with the removal of the Joint Position Statement Regarding APRNs Prescribing and the Revised Joint Prescribing Guidelines to the December 13th meeting. Motion carried.

CONSENT AGENDA:

Motion to approve the Consent Agenda. Motion carried.

MINUTES:

Motion to approve the Minutes. Motion carried.

INTRODUCTION OF DIRECTOR FARR:

LLR Director, Emily Farr, appeared before the Board to offer her welcome to new Board Members and express her gratitude for the Members service and availability to them if she can be of any help. No motion made.

EDUCATION: MARION COUNTY SCHOOL OF PRACTICAL NURSING:

Ms. Shanna Lee appeared before the Board representing the Marion County School of Practical Nursing in response to a request to allow continued approval of a faculty member. Motion to allow continued approval with return before the Board in one year. Motion carried.

EDUCATION: WILLIAMSBURG COUNTY TECHNICAL COLLEGE:

Ms. Heather Anderson and Dr. Elizabeth Murray appeared before the Board representing Williamsburg Technical College in response to a request to change their approval status from conditional to full. Motion to grant full status. Motion carried.

EDUCATION: PIEDMONT TECHNICAL COLLEGE:

Ms. Miranda Gaillard and Dr. Tara Harris appeared before the Board representing Piedmont Technical College in response to a request to expand their LPN to RN transition program to an additional campus located in Laurens County. Motion to approve the request to expand the transition program to Laurens County. Motion carried. *Ms. Swisher recused from this matter*

EDUCATION: NORTHEASTERN TECHNICAL COLLEGE:

Dr. Kyle Wagner appeared before the Board representing Northeastern Technical College in response to a request to expand their current PN program to an additional campus in Dillon County. Motion to approve the PN program to be expanded to the Dillon County Campus. Motion carried.

DISCIPLINARY HEARINGS:

Respondents appeared before the Board to determine disciplinary actions. Hearings are conducted in Closed Session to meet the statutory requirement that disciplinary actions remain confidential.

2017-417:

Motion to accept the Memorandum of Agreement with a Dismissal of the pending disciplinary action and to grant reinstatement. Motion carried.*

2018-333:

Motion to accept the Memorandum of Agreement with a Dismissal of the case. Motion carried.*

2018-105:

Motion to find a violation of statute as pled and to accept the Memorandum of Agreement with the following disciplinary sanctions: private reprimand; \$1,000 civil penalty; completion of the following courses: Legal Aspects, Medication Errors, Documentation, and Critical Thinking; fine and classes due within six months of the Final Order. Motion carried.*

2018-83:

Motion to accept the Panel Hearing Recommendation. Motion carried.

2018-157:

Motion to accept the Memorandum of Agreement with the following disciplinary sanctions: private reprimand; civil penalty in the amount of \$1,000; completion of the following courses: Legal Aspects, Ethics, and Critical Thinking; courses and fine to be completed within six months of the Final Order. Motion carried.*

2017-487:

Motion to grant modification request to allow prescribing only for non-controlled medications. The Respondent is not to seek a DEA license. The Respondent is given a one-year extension to pay the civil penalty and to complete the quarterly reports as previously ordered. All other modification requests are denied. Motion carried.* *Ms. Swisher recused from this matter.*

2012-470 & 2013-31:

Motion to accept the modification request with the stipulation that it is for the worksite requested only. Any other position or new job would require worksite approval from the Board. Motion carried.*

2016-673:

Motion to accept the Memorandum of Agreement with issuance of the following disciplinary sanctions: public reprimand; probation for one year; suspension for one year with immediate stay; narcotic restriction for one year; credit for courses already completed: Legal Aspects and Ethics; approval for both jobs as outlined; continuation with RPP; any change to worksite must be approved. Motion carried.*

2017-319:

Motion to accept the Memorandum of Agreement with issuance of the following disciplinary sanctions: public reprimand; probation for two years with quarterly reports; worksite approval by Board staff; suspension with stay for two years; continuance with RPP; narcotic restriction for two years; completion of the following courses: Legal Aspects, Ethics, and Critical Thinking; single-state license. Motion carried.*

2018-70 & 2018-176:

Motion to accept the Memorandum of Agreement and to maintain licensure in a voluntary surrender status with the Respondent to appear before the Board for reinstatement of licensure at which time the Board will consider possible sanctions. Motion carried.*

2017-58:

Motion to accept the Hearing Panel's Final Order Hearing Recommendation. Motion carried.

2017-211:

Motion to accept the Hearing Panel's Final Order Hearing Recommendation. Motion carried.

2018-38:

Motion to accept the Memorandum of Agreement with a finding that the Nurse did violate the Nurse Practice Act, Sections 40-33-110(A) (7) and 40-33-110(A) (14). Respondent is to continue with RPP and the terms of the previous Consent Order shall remain in place. Motion carried.*

2017-148:

Motion to allow the modification requested to administer Sublocade only at the practice site laid out in the request. Motion carried with one Member opposed.*

2017-89:

Motion to accept the Memorandum of Agreement with the following sanctions: private reprimand; acceptance of the classes already completed and in addition completion of the following courses: Documentation and Critical Thinking to be completed within six months of the Final Order. Motion carried.*

LEGISLATIVE UPDATE:

Holly Beeson, Counsel to the Office of Communications and Governmental Affairs appeared before the Board to provide an update on the legislative session. No motions were made.

ADMINISTRATIVE REVIEW REPORT:

Ashley Thompson, Assistant Disciplinary Counsel, presented the Administrative Review Report for the Board's approval. Motion to approve the Administrative Review Report. Motion carried. *Conducted in Closed Session.*

PRACTICE REPORT:

Advisory Opinion #39 Cosmetic Procedures: Motion to restore AO #39 with revisions as discussed. Motion carried.

EDUCATION REPORT

Ms. Trilla Mays has resigned her position on the Advisory Committee on Nursing Education. No motion made.

The Advisory Committee on Nursing Education has approved an updated list of Refresher courses that includes the addition of three programs. Motion to approve the updated list of Refresher course. Motion carried.

PRESIDENT'S REPORT:

Election of 2019 Officers: Motion to accept the nomination of Mr. McNutt for President, Ms. Swisher for Vice-President, and Ms. Hazzard for Secretary. Motion carried.

ADMINISTRATOR'S REPORT:

Ms. Moody provided an update on the Just Culture. No motion made.

Ms. Moody provided updated information regarding private reprimands. No motion made.

Ms. Moody provided an update on the Ethics and Boundaries Assessment Services. No motion made.

Ms. Moody provided information on eNLC materials received from NCSBN. No motion made.

Ms. Moody discussed a Journal of Nursing Regulation article. No motion made.

Ms. Moody provided some information on CBD oil. No motion made.

Ms. Moody provided an update on the Seizure Safety in Schools committee. No motion made.

Motion to approve Ms. Moody and Advice Counsel, Bob Horner, to attend the NCSBN legal forum. Motion carried.

OFFICE OF INVESTIGATIONS AND ENFORCEMENT:

Chief Investigator Mark Sanders presented the Investigative Review Committee Report for approval.

Motion to approve 8 Dismissals. Motion carried.

Motion to approve 31 Formal Complaints. Motion carried.

Motion to approve 11 Letters of Caution. Motion carried.

Motion to approve 1 Cease and Desist. Motion carried.

Mr. Sanders also presented the Statistical Report.

WAIVED FINAL ORDER HEARING REPORT

2015-373:

Motion to approve the Panel's recommendation. Motion carried.

2015-235:

Motion to approve the Panel's recommendation. Motion carried.

2015-345:

Motion to approve the Panel's recommendation. Motion carried.

2016-541:

Motion to approve the Panel's recommendation. Motion carried.

2016-442:

Motion to approve the Panel's recommendation. Motion carried.

2016-642:

Motion to approve the Panel's recommendation. Motion carried.

2017-162:

Motion to approve the Panel's recommendation. Motion carried.

2017-605:

Motion to approve the Panel's recommendation. Motion carried.

2015-322:

Motion to approve the Panel's recommendation. Motion carried.

2017-217:

Motion to approve the Panel's recommendation. Motion carried.

2016-762:

Motion to approve the Panel's recommendation. Motion carried.

2017-342:

Motion to approve the Panel's recommendation. Motion carried.

2017-343:

Motion to approve the Panel's recommendation. Motion carried.

2017-219:

Motion to approve the Panel's recommendation. Motion carried.*

2015-584:

Motion to approve the Panel's recommendation. Motion carried.

2015-281:

Motion to approve the Panel's recommendation. Motion carried.

2017-318:

Motion to approve the Panel's recommendation. Motion carried.

2015-577:

Motion to approve the Panel's recommendation. Motion carried.

2016-78:

Motion to approve the Panel's recommendation. Motion carried.

2015-172:

Motion to approve the Panel's recommendation. Motion carried.

Motion to adjourn for the evening. Motion carried.

FRIDAY, NOVEMBER 30, 2018

CALL TO ORDER

Mr. McNutt called the meeting to order at 8:34 a.m. on Friday, November 30, 2018. It is noted that a quorum was present at all times.

EXCUSED ABSENCES:

Motion to excuse Ms. Hazzard and Dr. Baer. Motion carried.

EDUCATION: ECPI UNIVERSITY NORTH CHARLESTON RN PROGRAM:

Ms. Patti Steele and Mr. James Weaver appeared before the Board representing the North Charleston ECPI University RN Program in response to their request to change program approval status from initial to full. Motion to grant full approval. Motion carried.

EDUCATION: ECPI UNIVERSITY GREENVILLE ASSOCIATE OF APPLIED SCIENCE IN NURSING PROGRAM

Ms. Patti Wentz and Ms. Karen Burgess appeared before the Board representing the Associate of Applied Science in Nursing Program at the Greenville campus of ECPI University in response to their request for initial approval. Motion to grant initial approval. Motion carried.

Practice Report:

Practice Consultant, Mindy Carithers, gave an update on Colorado School Nurses. No motion made.

Ms. Carithers also provided information on Epidiolex, a Schedule V medication. No motion made.

APPLICATION APPEARANCES:

Applicant One:

Motion to grant a temporary license for the purpose of completion of the clinical portion of the refresher course, to be completed within one year. Motion carried.*

Applicant Two:

Motion to grant a temporary license for the purpose of completion of the clinical portion of the refresher course of her choosing to be completed within the time frame required by the program, with reappearance before the Board once the refresher course is completed for consideration of any conditions or restrictions required to protect the public. Motion carried with one Member obtaining from voting.*

Applicant Three:

Motion to grant reinstatement of RN licensure. Motion carried.* *Mr. McNutt recused from this matter.*

Applicant Four:

Motion to reinstate the license with single-state status; two years suspension with immediate stay; two years probation with worksite approval and quarterly reports; public reprimand; two years narcotic restriction; continuation with RPP; completion of the following courses: Legal Aspects, Ethics, and Critical Thinking; civil penalty in the amount of \$1,000; find and courses are due within six months of the date of the Final Order. Motion carried.*

Applicant Five:

Motion to allow licensure. Motion carried.

Applicant Six:

Motion to allow applicant the opportunity to take the NCLEX exam. Motion carried.

Applicant Seven:

Motion to grant licensure contingent upon an evaluation by RPP and compliance with RPP recommendations, if any. Motion carried.*

Applicant Eight:

Motion to allow the applicant to enroll in the refresher program of her choosing upon application for licensure, at the appropriate time during the refresher course, the applicant will be granted a temporary license for the purpose of completion of the clinical portion of the course. Upon completion of the refresher course, the applicant is to return before the Board for consideration of permanent licensure. Motion carried.*

Motion to adjourn. Motion carried.

* Indicates that the Board entered into Executive Session for the purpose of receiving legal counsel. No official actions were taken while in Executive Session.