



South Carolina Board of Nursing

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OCTOBER 29, 2018 MEETING MINUTES

CALL TO ORDER, PLACE OF MEETING & FOIA COMPLIANCE:

Samuel McNutt, President of the South Carolina State Board of Nursing called the January meeting to order at 8:35 a.m. on October 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	Present	
Jacqueline L. Baer, RN, D-NP	1 st Congressional District	Excused	
Eric Sellers, RN	2 nd Congressional District	Present	
Jan Burdette, LPN	At-Large, LPN	Excused	
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 Dr. Baer and Ms. Hazzard from the meeting. Motion carried.

APPROVAL OF AGENDA:

Motion to approve the agenda. Motion carried.

CONSENT AGENDA:

Motion to approve the Consent Agenda. Motion carried.

MINUTES:

Motion to approve the Minutes with a scrivener's error correction. Motion carried.

APPROVAL OF NOMINATIONS:

Motion to approve Karen Gittings as the Deans and Directors representative to the Advisory Committee on Nursing Education and Laketa Riley for the Hearing Panel. Motion carried.

OFFICE OF INVESTIGATIONS AND ENFORCEMENT:

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

Motion to approve 13 Dismissals. Motion carried.

Motion to approve 12 Formal Complaints. Motion carried.

Motion to approve 12 Letters of Caution. Motion carried.

Motion to approve the Administrative Review Report process. 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.

2017-92: Motion to find a violation of South Carolina Code 40-33-110(A)(14) and 40-1-110(1)(f) with issuance of the following sanctions: a public reprimand with single-state licensure; required enrollment with RPP with a five-year contract; probation of one year; suspension of one year with immediate stay; civil penalty in the amount of \$500 due within six months; completion of the following courses within six months: Legal Aspects and Ethics. Motion carried.*

2017-501: Motion to continue the requirements of the current RPP contract for the duration of the five years. Issuance of the following sanctions: one-year suspension with stay; one-year probation with quarterly reports; issuance of a civil penalty in the amount of \$500 due within six months; completion of the following courses within six months: Legal Aspects and Ethics; controlled substances are at the discretion of the director of nursing for a period of one year. Motion carried.*

2017-414: Motion to defer action until resolution of the current pending criminal charges. Motion carried.*

2016-279 & 2017-670: Motion to accept the Memorandum of Agreement with the following sanctions: issuance of a public reprimand; suspension for one-year with a stay; compliance with RPP; civil penalty in the amount of \$1,000 due within six months of the Final Order; completion of the following courses: Legal Aspects, Ethics, Medication Errors, Documentation, and Critical Thinking within six months. Motion carried.*

2017-401: Motion to accept the Memorandum of Agreement with the following sanctions: continuation with RPP; suspension with immediate stay; public reprimand; civil penalty in the amount of \$1,000 due within six months; completion of the following courses: Critical Thinking, Legal Aspects, Ethics, and the Nurse Practice Act, also to be completed within six months. Motion carried.*

2017-619: Motion to accept the Memorandum of Agreement with the following sanctions: private reprimand; completion of the following courses within six months: Legal Aspects, Ethics, and Documentation. Motion carried.*

2017-552: Motion to grant the modification request for release of quarterly report requirements. Motion carried.*

2016-319: Motion to accept the Panel Hearing Recommendation. Motion carried.

2016-626: Motion to Dismiss. Motion carried.

2014-171: Motion to Dismiss. Motion carried.

2017-445: Motion to accept the Memorandum of Agreement and to find a violation of 40-1-110(1)(f) with the following disciplinary sanctions: suspension with immediate stay; public reprimand; \$500 civil penalty payable within six months; completion of the following courses: Legal Aspects, Ethics, Critical Thinking, Documentation, and Medication Errors to be completed within six months. Motion carried.*

2015-251: Motion to Dismiss. Motion carried.*

2015-50: Motion to accept the Stipulation of Facts as presented with the following sanctions: suspension with immediate stay; civil penalty in the amount of \$250 payable within six months; completion of the following courses: Legal Aspects, Ethics, Critical Thinking, Documentation, and Medication Errors to be completed within six months. Motion carried.*

2018-230: Motion to accept the Memorandum of Agreement with the following sanctions: suspension with immediate stay; public reprimand; \$500 civil penalty due within six months; completion of the following courses: Legal Aspects and Ethics within six months of the date of the order. Motion carried.*

2018-213: Motion to accept the Memorandum of Agreement with issuance of the following sanctions: public reprimand; suspension for one year with immediate stay; continuation of RPP; \$500 civil penalty due within six months; completion of the Legal Aspects and Ethics courses within six months of the date of the order. Motion carried.*

2011-142: Motion to Dismiss. Motion carried.

2016-544 & 2017-234: Motion to accept the Panel Hearing Recommendation. Motion carried.

2015-236: Motion to accept the Panel Recommendation. Motion carried.

2017-637: Motion to accept the Memorandum of Agreement with issuance of a private reprimand and the following courses: Medication Errors and Critical Thinking to be completed within six months. Motion carried with one abstention.*

2016-755: Motion to accept the Memorandum of Agreement with the following sanctions: one-year suspension with immediate stay; one-year probation; public reprimand; \$1,000 civil penalty payable within six months; completion of the following courses: Legal Aspects, Ethics, Medication Errors, and Documentation within six months of the Final Order. Motion carried.*

2017-517: Motion to accept the Memorandum of Agreement with the following sanctions: suspension with immediate stay; public reprimand; civil penalty in the amount of \$500; completion of the following courses: Documentation, Critical Thinking, and Medication Errors due within six months from the date of the order. Motion carried.*

2017-340: Case is continued due to absence of the Respondent.

2018-235: Motion to accept the Memorandum of Agreement with issuance of a Letter of Caution and elimination of the quarterly reports and worksite approval requirement. Motion carried.*

WAIVED FINAL ORDER HEARING REPORT

Motion to accept the Waived Final Order Hearing Report. 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.