Samuel McNutt called the South Carolina Board of Nursing meeting to order at 8:30 a.m. on November 16, 2017. Public notice was properly posted 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 all times.

<table>
<thead>
<tr>
<th>Member</th>
<th>Representing</th>
<th>Present</th>
</tr>
</thead>
<tbody>
<tr>
<td>Samuel McNutt, RN, CRNA, MHSA</td>
<td>Board of Nursing President</td>
<td>Present</td>
</tr>
<tr>
<td></td>
<td>5th Congressional District</td>
<td></td>
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<tr>
<td>Kay Swisher, RN, MSN</td>
<td>Board of Nursing Vice-President</td>
<td>Present</td>
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<tr>
<td></td>
<td>3rd Congressional District</td>
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<tr>
<td>Karen Hazzard, MSN, RN, NEA-BC</td>
<td>Board of Nursing Secretary</td>
<td>Present</td>
</tr>
<tr>
<td></td>
<td>7th Congressional District</td>
<td></td>
</tr>
<tr>
<td>Jaqueline L. Baer, NP, RN</td>
<td>1st Congressional District</td>
<td>Present</td>
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<tr>
<td>Eric Sellers, RN</td>
<td>2nd Congressional District</td>
<td>Present</td>
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<tr>
<td>Jan Burdette, LPN</td>
<td>At-Large, LPN</td>
<td>Present</td>
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<tr>
<td>Neil B. Lipsitz</td>
<td>Public Member</td>
<td>Present</td>
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<tr>
<td>Vacancy</td>
<td>4th Congressional District</td>
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<td>Vacancy</td>
<td>6th Congressional District</td>
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<tr>
<td>Vacancy</td>
<td>At-Large, LPN</td>
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<tr>
<td>Vacancy</td>
<td>Public Member</td>
<td>Vacant</td>
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Samuel McNutt, RN, CRNA, MHSA
5th Congressional District

Kay Swisher, RN, MSN
Board of Nursing Vice-President
3rd Congressional District

Karen Hazzard, MSN, RN, NEA-BC
Board of Nursing Secretary
7th Congressional District

Jaqueline L. Baer, NP, RN
1st Congressional District

Eric Sellers, RN
2nd Congressional District

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At-Large, LPN

Neil B. Lipsitz
Public Member

Vacancy
4th Congressional District
Vacant

Vacancy
6th Congressional District
Vacant

Vacancy
At-Large, LPN
Vacant

Vacancy
Public Member
Vacant

Carol Moody, Administrator, Board of Nursing
Samuel Wellborn, 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
Rowland Alston, Assistant Disciplinary Counsel
Megan Flannery, Assistant Disciplinary Counsel
Mark Sanders, Director of the Office of Investigations and Enforcement
Tina Behles, Court Reporter
<table>
<thead>
<tr>
<th>APPROVAL OF AGENDA</th>
<th>MOTION</th>
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<tbody>
<tr>
<td>The agenda was presented to the members for review and approval.</td>
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<tr>
<td>Mr. Lipsitz made a motion to approve the Agenda. Ms. Swisher and Ms. Hazzard seconded the motion and it carried unanimously.</td>
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<tr>
<th>CONSENT AGENDA</th>
<th>MOTION</th>
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<tr>
<td>The Consent Agenda for the November 16-17, 2018 was submitted to the Board members for their review and approval:</td>
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<tr>
<td>a) &quot;Physicians Look to Disrupt Longtime Regulatory Tradition for APRNs&quot; Article from The Journal of Nursing Regulation</td>
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<td>b) Pain WeekEND Conference in Charleston November 18, 2017</td>
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<tr>
<td>c) CE Broker Reports</td>
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<tr>
<td>d) Finance Reports</td>
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<tr>
<td>e) Third Quarter NCLEX Results</td>
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<tr>
<td>Ms. Swisher made a motion to approve the Consent Agenda. Ms. Hazzard seconded the motion and it carried unanimously.</td>
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<tr>
<th>APPROVAL OF MINUTES</th>
<th>MOTION</th>
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<tbody>
<tr>
<td>The September 28-29, 2017 Board of Nursing Meeting Minutes were presented to the Board for their review and approval.</td>
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<tr>
<td>Ms. Hazzard made a motion to approve the Meeting Minutes. Mr. Sellers and Ms. Burdette seconded the motion and it carried unanimously.</td>
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</table>
Board of Nursing Practice Consultant, Mindy Carithers, presented the following updates to the Board for their approval:

**AO #4:** Acknowledges that the RN and LPN can administer dye during ERCP. AO #4 was reviewed and it is noted that no revisions are needed at this time. Review date: October 2017

**AO #20:** Acknowledges that digital intervention should not be delegated to an unlicensed person. The NPSC reviewed AO #20 and determined that it should be proposed in question format. There were also editorial changes to include the addition of the word "State" and the bolding of the word "Not," are proposed to make AO #20 consistent with the wording of other AOs. Revision date: October 2017

**AO #34:** Acknowledges licensed nurses may perform auricular acupuncture. The changes were presented in written format to the Board members and included striking the sentence that begins with "States that" and ends with "Medical Examiners," to be replaced with the sentence beginning with "However" and ending with the code cited for the statute on South Carolina's Acupuncture Act. There were also minor punctuation corrections and the word "auricular" was inserted to describe the type of acupuncture. Review date: October 2017

**AO #38:** Acknowledges the RN scope of practice includes needle decompression for tension pneumothorax. The changes were presented in written format to the Board members and included striking the sentence that begins with "This procedure" and ends with "standard curriculum" and removing the sentence beginning with "The Board recommends" and ending with "is in order." Revision date: October 2017

**AO #39:** Acknowledges that it is within the scope of practice for a licensed nurse to perform certain cosmetic procedures. The link to the Joint Position Statement regarding neuromodulators and Botox Injections was added. Revision date: October 2017

**AO #46:** Acknowledges that it is not within an LPN's scope of practice to evaluate or stage pressure ulcers. Editorial changes to include the addition of the word "State" and the bolding of the word "Not" are proposed to make the AO #46 consistent with the wording of other AOs. Revision date: October 2017

Ms. Hazzard made a motion to approve Advisory Opinions #4, #20, #34, #38, #39 and #46 as presented. Ms. Swisher and Ms. Burdette seconded the motion and it carried unanimously.

At the September 2017 meeting, Ms. Jan Burdette and Mr. Neil Lipsitz were chosen to be the Nominating Committee for the Board of Nursing 2018 Officers. Mr. Lipsitz presented the Nominating Committee's recommendation for 2018 officers to the Board members for their approval. Mr. McNutt was recommended for Board President, Ms. Swisher was recommended for Board Vice-President and Ms. Hazzard was recommended for Board Secretary.

Mr. Sellers made a motion to accept the nominations. Dr. Baer seconded the motion and it carried unanimously.
Mr. McNutt provided the following update to Board Members about the November 30, 2017 and December 14, 2017 Meetings:

At the September 2017 Board of Nursing meeting, the Board Members voted to hold two special "called meetings" for the purposes of hearing disciplinary cases only. After discussion and with the planned two-day hearing during the January meeting, Board Staff is requesting to use one hour of the December 14, 2017 meeting for normal Board business and to begin the disciplinary hearings afterwards.

Ms. Hazzard made a motion to accept the revision to the previous motion of the Board of Nursing called meetings and for November 30th to be exclusive to ODC and for December 14th to be ODC plus other Board business as presented. Ms. Swisher seconded the motion and it carried unanimously.

Mr. McNutt requested that the Board consider approving travel to the NCSBN Mid-Year Conference for Ms. Moody, the Board Administrator, and himself.

Ms. Swisher made a motion to allow Ms. Moody and Mr. McNutt to represent the Board at the Mid-Year NCSBN Conference. Ms. Burdette and Mr. Lipsitz seconded the motion and it carried unanimously.

A statistical report from the Office of Disciplinary Counsel was presented to the Board Members for their review during closed session because statute states disciplinary actions are confidential and the report contained information that is not subject to disclosure.

Ms. Moody provided an update on committee vacancies. The Advisory Committee on Nursing Education (ACONE) and Advanced Practice Committee (APC) are both filled. There are currently vacancies for the LPN representative, the School Nurse representative and the Education RN representative for the Nursing Practice and Standards Committee (NPSC). Ms. Moody stated that there is always a need for individuals to serve as Expert Reviewers and that we would continue to review applications with the Nominations Committee as they are submitted. There is not a specific need for additional Investigative Review Committee members at this time.
Ms. Moody shared with the Board that with the most recent additions earlier in November to the licensing and compliance staff, the Board is fully staffed for the first time in several years. Seven people have joined the Board staff since Ms. Moody became the Administrator in February. Ms. Moody shared some of the tasks that Board staff is working on in order to get ready for the renewal cycle that will occur in early 2018.

Ms. Moody provided and update on actions that are taking place to get ready for the early 2018 renewal cycle.

Ms. Moody provided an update on the audit that occurred in order to ensure that the supervising physicians are reflected correctly on our website, which serves as primary source verification. The audit is possible now that the Board is fully staffed and is nearly complete.

Ms. Moody thanked Dr. Baer, Ms. Swisher and Mr. Lipsitz for their work on the updates to the Disciplinary Sanctions Matrix. Updates were reflected in the proposed version that was provided to the Board members for review. Some of the updates were necessary due to the changes that will occur with the enhanced Nurse Licensure Compact that will go into effect in January 2018. Ms. Moody and Mr. McNutt also shared some information about EBAS, which is a way to capture data and determine if discipline is being effective in improving the decision making process of individuals who have been disciplined.

Dr. Baer made a motion to approve the changes to the Disciplinary Sanctions Matrix. Ms. Hazzard seconded the motion and it carried unanimously.

Ms. Hazzard made a motion to request EBAS to come and present to the Board. Ms. Burdette seconded the motion and it carried unanimously.
Mr. McNutt and Ms. Moody provided the Board with an update from the October Advanced Practice Committee meeting. Mr. McNutt stated that there have been many new certifications that have been appearing with requests to approve those certifications or add them to the list of approved certifications.

The certifying body has combined the Adult Nurse Practitioner and the Gerontology Nurse Practitioner certifications, and going forward the new certification will be the Adult-Gerontology Nurse Practitioner.

The APC determined that the EMPC and PMHNP certifications are enhancements and will not be accepted as the basis for licensure as a Nurse Practitioner.

Ms. Moody informed the Board members that the Nurse Education Consultant, Peter Kubas, is continuing in his review of the certification and CE approvers and that he will be appearing before the Board at a future meeting to discuss updates to the website.

Ms. Swisher made a motion to reject the request to accept the Case Management program presented for certification. Ms. Hazzard seconded the motion and it carried unanimously.

Mr. McNutt and Ms. Moody provided the Board with an update from the October Advanced Practice Committee meeting. Mr. McNutt stated that there have been many new certifications that have been appearing with requests to approve those certifications or add them to the list of approved certifications.

The certifying body has combined the Adult Nurse Practitioner and the Gerontology Nurse Practitioner certifications, and going forward the new certification will be the Adult-Gerontology Nurse Practitioner.

The APC determined that the EMPC and PMHNP certifications are enhancements and will not be accepted as the basis for licensure as a Nurse Practitioner.

Ms. Moody informed the Board members that the Nurse Education Consultant, Peter Kubas, is continuing in his review of the certification and CE approvers and that he will be appearing before the Board at a future meeting to discuss updates to the website.

Ms. Swisher made a motion to accept the information presented by Ms. Moody and Mr. McNutt as information. Mr. Sellers seconded the motion and it carried unanimously.

Ms. Moody provided a copy of materials submitted by an individual for the Board's consideration of a Health Coach certification as continuing education for renewal. The Board asked questions about the certifying body to determine how to count the continuing education hours that may be earned. The Board determined that the certification offered is not from a Board approved nationally certifying body and does not appear to have the same parameters that would allow it to be used to prove competency.

Dr. Baer made a motion to not accept the Health Coach certification for the purposes of competency and continuing education because it is not offered thorough a national certifying body. Ms. Hazzard seconded the motion and it carried unanimously.

Ms. Moody and Mr. Kubas presented a request to recognize the Case Management program presented as a certification for the purposes of continuing education for renewal. The provider of the program is not a Board approved nationally certifying body.

Ms. Swisher made a motion to reject the request to accept the Case Management program presented for certification. Ms. Hazzard seconded the motion and it carried unanimously.
Ms. Moody and Mr. Kubas presented a request to recognize the Fertility Care Practitioner certification. The Board members questioned why there were the number of requests regarding certifications before them today in order to determine if information about competency and continuing education is unclear. Mr. Wellborn reminded the Board that if the program does not meet the Board's definition of a certification, that the hours could be looked at for continuing education hours for renewal, if the provider is approved by the Board. The Fertility Care Practitioner certification is recognized through the ANCC, which is a Board approved nationally certifying body. Mr. Kubas provided information about plans to streamline the information contained on the website to list the nationally certifying bodies that the Board recognizes rather than all of the specific certifications available by each body.

Ms. Swisher made a motion to accept the Fertility Care Practitioner certification bases on its national accreditation through the ANCC. Ms. Hazzard seconded the motion and it carried unanimously.

Mark Sanders presented a report from the Investigative Review Committee in closed session. The Board had an opportunity to review the report prior to the meeting and to submit follow-up questions if needed. 

Dismissals: 33 submitted for approval. 
Formal Complaints- 72 submitted for approval
Letters of Caution- 23 submitted for approval

Dismissals:
Ms. Swisher made a motion to accept the Dismissals. Mr. Lipsitz seconded the motion and it carried unanimously.

Formal Complaints-
Mr. Sellers made a motion to approve the Formal Complaints, with the one change as discussed. Mr. Lipsitz seconded the motion and it carried unanimously.

Letters of Caution:
Ms. Hazzard made a motion to approve the 23 Letters of Caution as presented. Mr. Lipsitz seconded the motion and it carried unanimously.

Mr. Sanders presented the quarterly IRC Statistical Report to the Board members for their information.
Respondents appeared before the Board. The Board reviewed Memoranda of Agreement (MOA) stipulating violations of the Nurse Practice Act to determine disciplinary actions and reviewed Recommendations from Panel Hearings. The Board also reviewed requests for modifications to Consent Agreements or Orders.

<table>
<thead>
<tr>
<th>Case number 2015-444: The Respondent appeared before the Board with her attorney having executed a Memoranda of Agreement for the purpose of determining disciplinary action. Prior to testimony beginning, Mr. Lipsitz recused himself and executed the recusal form.</th>
<th>Case 2015-444</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ms. Swisher made a motion to issue a Letter of Caution. Mr. Sellers seconded the motion and it carried unanimously.</td>
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<tr>
<td>Mr. Lipsitz rejoined the meeting upon the completion of Case 2015-444.</td>
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<table>
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<tr>
<th>Case number 2016-12: The Respondent appeared before the Board having executed a Memoranda of Agreement for the purpose of determining disciplinary action.</th>
<th>Case 2016-12</th>
</tr>
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<tbody>
<tr>
<td>Ms. Swisher made a motion to enter into Executive Session for the purpose of receiving legal counsel. Ms. Hazzard seconded the motion and it carried unanimously.</td>
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<tr>
<td>Ms. Swisher made a motion to leave Executive Session. Mr. Lipsitz seconded the motion and it carried unanimously. It is noted that no official actions were taken while in Executive Session.</td>
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<tr>
<td>Ms. Hazzard made a motion to issue the following sanctions: a $500 civil penalty, a private reprimand and completion of the Legal Aspects course, the Ethics course and the NCSBN Disciplinary Actions: What Every Nurse Should Know course, all of which is to be completed within six months of the issuance of the order. Mr. Lipsitz seconded the motion and it carried unanimously.</td>
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</table>
Case number 2016-529: The Respondent appeared before the Board with her attorney having executed a Memorandum of Stipulation, for the purpose of determining disciplinary action.  

Ms. Hazzard made a motion to issue a Letter of Caution. Ms. Swisher seconded the motion and it carried unanimously.

Case number 2015-520: The Respondent appeared before the Board with his attorney having executed a Memoranda of Agreement for the purpose of determining disciplinary action.  

Ms. Swisher made a motion to enter into Executive Session for the purpose of receiving legal counsel. Ms. Hazzard seconded the motion and it carried unanimously.  

Mr. Lipsitz made a motion to leave Executive Session. Mr. Sellers seconded the motion and it carried unanimously. It is noted that no official actions were taken while in Executive Session.  

Dr. Baer made a motion to dismiss the action Mr. Lipsitz and Ms. Burdette seconded the motion and it carried unanimously.

Case number 2017-52: The Respondent appeared before the Board with her attorney having executed a Memoranda of Agreement. Prior to testimony beginning, Mr. McNutt recused himself and executed the recusal form. Ms. Swisher chaired the appearance in Mr. McNutt's absence.  

Ms. Hazzard made a motion to enter into Executive Session for the purpose of receiving legal counsel. Mr. Lipsitz seconded the motion and it carried unanimously.  

Mr. Sellers made a motion to leave Executive Session. Mr. Lipsitz seconded the motion and it carried unanimously. It is noted that no official actions were taken while in Executive Session.  

Dr. Baer made a motion to issue a private reprimand and accept the course work that has already been completed. Mr. Lipsitz seconded the motion and it carried unanimously.
Case number 2012-441: **Mr. McNutt was recused from this action as well and completed the recusal form; Ms. Swisher continued to chair the Board for this portion of the meeting.** The Respondent appeared before the Board with her attorney having executed a Memorandum of Stipulation for the purpose of determining disciplinary action.

Ms. Hazzard made a motion to enter into Executive Session for the purpose of receiving legal counsel. Mr. Lipsitz seconded the motion and it carried unanimously.

Mr. Lipsitz made a motion to leave Executive Session. Mr. Sellers seconded the motion and it carried unanimously. It is noted that no official actions were taken while in Executive Session.

Ms. Hazzard made a motion to determine that there is a violation of the South Carolina Nurse Practice Act Code Sections 40-33-110 (A) and 40-1-110 (1) (f) and to issue a public reprimand. Board staff is directed to issue a temporary license for the period of one year from the date of the order and the Respondent is to complete the didactic and clinical portions of a Board approved refresher course within that time, with return before the Board upon completion of the refresher course. Mr. Sellers seconded the motion and it carried unanimously.

**Mr. McNutt rejoined the meeting upon the completion of Case 2012-441.**

Case number 2015-231: **Dr. Baer was not present for this portion of the meeting due to a scheduling conflict.** The Respondent appeared before the Board for a Final Order Hearing.

Ms. Hazzard made a motion to accept the Hearing Panel's Recommendation. Mr. Sellers seconded the motion and it carried unanimously.

Case number 2015-107: **Dr. Baer rejoined the meeting prior to testimony beginning and was present for the remainder of the meeting, unless otherwise noted.** The Respondent appeared before the Board with her attorney for a Final Order Hearing.

Mr. Sellers made a motion to adopt the Hearing Panel's Recommendation. Mr. Lipsitz seconded the motion and it carried unanimously.

Case numbers 2013-142 & 2015-147: The Respondent was unable to appear in this matter, but was represented by legal counsel who appeared before the Board on her behalf for the purpose of a Final Order Hearing. **Prior to testimony beginning, Ms. Swisher recused herself and executed the recusal form.**

Mr. Lipsitz made a motion to accept the Hearing Panel's Recommendation. Dr. Baer seconded the motion and it carried unanimously.

**Ms. Swisher rejoined the meeting upon completion of Case 2013-142 & Case 2015-147.**
| Case number 2015-107: The Respondent appeared before the Board with her attorney for a Final Order Hearing. | Case 2015-107 |
| Ms. Hazzard made a motion to enter into Executive Session for the purpose of receiving legal counsel. Mr. Sellers seconded the motion and it carried unanimously. |  |
| Mr. Lipsitz made a motion to leave Executive Session. Ms. Hazzard seconded the motion and it carried unanimously. It is noted that no official actions were taken while in Executive Session. |  |
| Dr. Baer made a motion to accept the Hearing Panel's Recommendation. Ms. Hazzard seconded the motion and it carried unanimously. |  |

| Case number 2016-216: The Respondent appeared before the Board with her attorney for a Final Order Hearing. | Case 2016-216 |
| Mr. Lipsitz made a motion to accept the Hearing Panel's Recommendation. Dr. Baer seconded the motion and it carried unanimously. |  |

| Case number 2014-555: The Respondent appeared before the Board with her attorney for a Final Order Hearing. | Case 2014-555 |
| Ms. Swisher made a motion to accept the Hearing Panel's Recommendation. Dr. Baer seconded the motion and it carried unanimously. |  |

| Case number 2015-435: The Respondent did not appear before the Board and was not represented by counsel. After determining that the Respondent had not checked in with the front desk and that the Hearing Notice was properly served upon the Respondent, the Board proceeded with the matter. | Case 2015-435 |
| Mr. Sellers made a motion to adopt the Hearing Panel's Recommendation. Ms. Swisher seconded the motion and it carried unanimously. |  |

| Case number 2016-325: The Respondent did not appear before the Board and was not represented by counsel. After determining that the Respondent had not checked in with the front desk and that Hearing Notice was properly served upon the Respondent, the Board proceeded with the matter. | Case 2016-325 |
| Mr. Sellers made a motion to adopt the Hearing Panel's Recommendation with the changes to reflect the narcotics restriction of one year from the date of employment. Ms. Hazzard seconded the motion and it carried unanimously. |  |
Case numbers 2014-136 & 2016-32: The Respondent did not appear before the Board and was not represented by counsel. After determining that the Respondent had not checked in with the front desk and that Hearing Notice was properly served upon the Respondent, the Board proceeded with the matter.

Ms. Swisher made a motion to accept the Hearing Panel's Recommendation. Mr. Lipsitz seconded the motion and it carried unanimously.

Case number 2016-327: The Respondent did not appear before the Board and was not represented by counsel. After determining that the Respondent had not checked in with the front desk and that Hearing Notice was properly served upon the Respondent, the Board proceeded with the matter.

Ms. Swisher made a motion to accept the Hearing Panel's Recommendation. Ms. Hazzard seconded the motion and it carried unanimously.

Case number 2016-04: The Respondent did not appear before the Board and was not represented by counsel. After determining that the Respondent had not checked in with the front desk and that Hearing Notice was properly served upon the Respondent, the Board proceeded with the matter.

Ms. Hazzard made a motion to accept the Hearing Panel's Recommendation. Mr. Lipsitz seconded the motion and it carried unanimously.

Case number 2016-29: The Respondent did not appear before the Board and was not represented by counsel. After determining that the Respondent had not checked in with the front desk and that Hearing Notice was properly served upon the Respondent, the Board proceeded with the matter. Prior to any testimony beginning, Ms. Swisher recused herself and executed the Recusal form.

Mr. Lipsitz made a motion to accept the Hearing Panel's Recommendation. Mr. Sellers seconded the motion and it carried unanimously.
Case number 2017-566: the Respondent appeared before the Board to request a modification of a prior Board Order.

Mr. Lipsitz made a motion to enter into Executive Session for the purpose of receiving legal counsel. Mr. Sellers seconded the motion and it carried unanimously.

Mr. Sellers made a motion to leave Executive Session. Ms. Swisher seconded the motion and it carried unanimously. It is noted that no official actions were taken while in Executive Session.

Ms. Hazzard made a motion to deny the request for a modification. Mr. Lipsitz seconded the motion and it carried unanimously.

Case number 2016-208: The Respondent appeared before the Board having executed a Memoranda of Agreement for the purpose of determining disciplinary action.

Ms. Hazzard made a motion to enter into Executive Session for the purpose of receiving legal counsel. Mr. Lipsitz seconded the motion and it carried unanimously.

Mr. Lipsitz made a motion to leave Executive Session. Ms. Hazzard seconded the motion and it carried unanimously. It is noted that no official actions were taken while in Executive Session.

Mr. Sellers made a motion for the Respondent to enroll in RPP and to maintain that enrollment, depending upon their recommendation, to issue a one-year suspension with an immediate stay, for the Respondent's license to be in probationary status for one-year, a $500 civil penalty, and completion of the NCSBN Legal Aspects course and the NCSBN Ethics course to be completed within six months of the Final Order. Mr. Lipsitz seconded the motion and it carried unanimously.

It is noted that the Board specified in the disciplinary requirements that a Narcotics restriction is not necessary.
Case numbers 2016-38 & 2016-107: The Respondent appeared before the Board with her attorney having executed a Memorandum of Stipulation for the purpose of determining disciplinary action. *Dr. Baer was not present for this matter and Mr. McNutt recused himself prior to testimony beginning and executed the recusal form. Ms. Swisher chaired the meeting for this action.*

Ms. Hazzard made a motion to enter into Executive Session for the purpose of receiving legal counsel. Mr. Lipsitz seconded the motion and it carried unanimously.

Mr. Sellers made a motion to leave Executive Session. Mr. Lipsitz seconded the motion and it carried unanimously. It is noted that no official actions were taken while in Executive Session.

Mr. Sellers made a motion to issue a private reprimand, a $150 civil penalty and the acceptance of the coursework already completed. Ms. Burdette seconded the motion and it carried unanimously.

*Mr. McNutt rejoined the meeting upon the completion of Cases 2016-38 & 2016-107.*

Case number 2016-78: The Respondent appeared before the Board with her attorney having executed a Memoranda of Agreement for the purpose of determining disciplinary action. *Dr. Baer was not present for this matter and Ms. Swisher recused herself prior to testimony beginning and executed the recusal form.*

Mr. Lipsitz made a motion to enter into Executive Session for the purpose of receiving legal counsel. Ms. Hazzard seconded the motion and it carried unanimously.

Mr. Lipsitz made a motion to leave Executive Session. Mr. Sellers seconded the motion and it carried unanimously. It is noted that no official actions were taken while in Executive Session.

Ms. Hazzard made a motion to accept the Memorandum of Agreement and to issue to following sanctions: suspension with stay, a private reprimand, probation of one year, a civil penalty of $1,000, and completion of the NCSBN Critical Thinking course and the NCSBN Legal Aspects course, all due within six months from the issuance of the Board Order. Mr. Sellers seconded the motion and it carried unanimously.

*Dr. Baer and Ms. Swisher rejoined the meeting upon the completion of Case 2016-78.*
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<tr>
<th>Case number 2017-287: The Respondent appeared before the Board having executed a Memorandum of Agreement for the purpose of determining disciplinary action.</th>
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<tr>
<td>Ms. Swisher made a motion to enter Executive Session for the purpose of receiving legal counsel. Mr. Lipsitz seconded the motion and it carried unanimously.</td>
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<tr>
<td>Ms. Swisher made a motion to leave Executive Session. Mr. Lipsitz seconded the motion and it carried unanimously. It is noted that no official actions were taken while in Executive Session.</td>
</tr>
<tr>
<td>Dr. Baer made a motion to accept the Memorandum with the following stipulations: a public reprimand, a civil penalty of $500 and completion of the following NCSBN courses within six months: Legal Aspects, Medication Errors, Documentation, and Critical Thinking.</td>
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<tr>
<th>Case number 2016-796: The Respondent appeared before the Board having executed a Memorandum of Agreement for the purpose of determining disciplinary action.</th>
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<tr>
<td>Ms. Hazzard made a motion to enter into Executive Session for the purpose of receiving legal counsel. Mr. Sellers seconded the motion and it carried unanimously.</td>
</tr>
<tr>
<td>Mr. Sellers made a motion to leave Executive Session. Ms. Hazzard seconded the motion and it carried unanimously. It is noted that no official actions were taken while in Executive Session.</td>
</tr>
<tr>
<td>Dr. Baer made a motion to accept the Memorandum of Agreement with issuance of a public reprimand, the completion of the NCSBN Legal Aspects course and the NCSBN Ethics course. Mr. Sellers seconded the motion and it carried unanimously.</td>
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<tr>
<th>Case number 2014-234: The Respondent appeared before the Board having executed a Memorandum of Stipulation for the purpose of determining disciplinary action.</th>
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<td>Ms. Swisher made a motion to enter into Executive Session for the purpose of receiving legal counsel.</td>
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<td>Mr. Lipsitz made a motion to leave Executive Session. Ms. Swisher seconded the motion and it carried unanimously. It is noted that no official actions were taken while in Executive Session.</td>
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<td>Dr. Baer made a motion to accept the Memorandum with the following stipulations: a public reprimand, a civil penalty of $500 and completion of the following NCSBN courses within six months: Legal Aspects, Medication Errors, Documentation, and Critical Thinking.</td>
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Ms. Hazzard made a motion to enter into Executive Session for the purpose of receiving legal counsel. Mr. Lipsitz seconded the motion and it carried unanimously.

Mr. Lipsitz made a motion to leave Executive Session. Ms. Hazzard seconded the motion and it carried unanimously. It is noted that no official actions were taken while in Executive Session.

Mr. Sellers made a motion to defer action on discipline and pursuant to 40-33-116, the Board orders that the Respondent have a Fitness for Practice Evaluation with a Board-approved psychiatrist within six months and to return before the Board once the evaluation is complete. Ms. Swisher seconded the motion and it carried unanimously.

Mr. Lipsitz made a motion to adjourn the meeting for the day at 4:58 p.m. Ms. Swisher seconded the motion and it carried unanimously.

Friday, November 17, 2017
Mr. McNutt called the meeting to order at 8:28 a.m. A quorum was present at all times.

Ms. Hazzard made a motion to excuse Ms. Swisher from appearance at the meeting on Friday, November 17, 2017. Mr. Lipsitz seconded the motion and it carried unanimously.

Applicants for licensure appeared before the Board. The Board reviewed matters related to RN endorsement applications, APRN endorsement applications, LPN endorsement applications and RN/LPN Reinstatement.

An applicant for licensure as a Registered Nurse by endorsement appeared before the Board.

Ms. Hazzard made a motion to enter into Executive Session for the purpose of receiving legal counsel. Mr. Lipsitz seconded the motion and it carried unanimously.

Mr. Lipsitz made a motion to leave Executive Session. Ms. Burdette seconded the motion and it carried unanimously. It is noted that no official actions were taken while in Executive Session.

Dr. Baer made a motion to grant application for endorsement upon clearance by RPP evaluation. Ms. Burdette seconded the motion and it carried unanimously.

This appearance was taken out of order to allow the meeting to proceed when the Call to Order was issued.
Ms. Hazzard made a motion to take a brief recess. Mr. Lipsitz seconded the motion and it carried unanimously.

Ms. Hazzard made a motion to go back into session. Mr. Lipsitz seconded the motion and it carried unanimously.

Respondents appeared before the Board. The Board reviewed Memoranda of Agreement (MOA) stipulating violations of the Nurse Practice Act to determine disciplinary actions and reviewed Recommendations from Panel Hearings. The Board also reviewed Respondent requests for Modification to Consent Agreements or Orders.

Case number 2016-318: The Respondent appeared before the Board having executed a Memorandum of Agreement. The Respondent is also before the Board for an application matter related to licensure as an APRN. Prior to any testimony beginning, Mr. Sellers recused himself from this action and executed the recusal form.

Mr. Lipsitz made a motion to enter into Executive Session for the purpose of receiving legal counsel. Ms. Burdette seconded the motion and it carried unanimously.

Mr. Lipsitz made a motion to leave Executive Session. Ms. Burdette seconded the motion and it carried unanimously. It is noted that no official actions were taken while in Executive Session.

Ms. Hazzard made a motion to accept the MOA and to acknowledge violations of the South Carolina Nurse Practice Act Annotated 40-33-110 (A) (21), 40-33-110 (A) (23), 40-1-110 (1) (f) and to issue the following sanctions: suspension with immediate stay, one-year probation, a public reprimand, issuance of a civil penalty in the amount of $1,500, acknowledgement of the four courses that have been completed, and the requirement to complete the NCSBN Critical Thinking course, with return before the Board in not less than one year for consideration of APRN licensure. Ms. Burdette seconded the motion and it carried unanimously.

The Respondent's attorney requested to withdraw the application for APRN licensure. The Board agreed to allow the Respondent to withdraw the application with the provision that she cannot reapply for one year. A formal motion was made to withdraw the application. Ms. Hazzard made a motion to accept, Dr. Baer seconded and the motion carried unanimously.

Mr. Sellers rejoined the meeting upon completion of Case 2016-318.
**Case number 2016-138:** The Respondent appeared before the Board with her attorney having executed a Memorandum of Agreement.

Ms. Hazzard made a motion to accept the Memorandum of Agreement and to acknowledge that there was a violation of the South Carolina State Nurse Practice Act 40-33-110 (A) (9) and (A) (21) and to issue the following sanctions: suspension with immediate stay, probation for one-year, a public reprimand, a civil penalty in the amount of $500, and completion of the NCSBN Legal Aspects course, all to be completed within six months of the Board order. Mr. Lipsitz seconded the motion and it carried with Dr. Baer's "Nay" noted.

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**APPLICANT TWO**

An applicant for licensure as a Registered Nurse by endorsement appeared before the Board with her attorney.

Dr. Baer made a motion to enter into Executive Session for the purpose of receiving legal counsel. Mr. Lipsitz seconded the motion.

Mr. Lipsitz made a motion to leave Executive Session. Ms. Burdette seconded the motion and it carried unanimously. It is noted that no official actions were taken while in Executive Session.

Dr. Baer made a motion to grant licensure with the stipulation that the Applicant continue participation with the pre-trial intervention program. Mr. Sellers seconded the motion and it carried unanimously.
An applicant for licensure as a Licensed Practical Nurse by endorsement appeared before the Board.

Dr. Baer made a motion to enter into Executive Session for the purpose of receiving legal counsel. Mr. Lipsitz seconded the motion and it carried unanimously.

After going into Executive Session while individuals were leaving the room, the Applicant made a request to introduce documents into evidence.

Mr. Sellers made a motion to leave Executive Session for the purposes of receiving the documentation as requested by the Applicant. Ms. Hazzard seconded the motion and it carried unanimously.

Ms. Hazzard made a motion to return to Executive Session for the purposes of receiving legal advice and to allow Board staff time to make copies of the materials provided by the Applicant. Dr. Baer seconded the motion.

Mr. Sellers made a motion to leave Executive Session. Mr. Lipsitz seconded the motion and it carried unanimously. It is noted that no official actions were taken while in Executive Session.

Dr. Baer made a motion to decline the application pending the resolution of the criminal charges pending in Georgia. Mr. Sellers seconded the motion and it carried unanimously.

An applicant for licensure as a Registered Nurse by endorsement appeared before the Board.

Ms. Hazzard made a motion to go into Executive Session for the purpose of receiving legal counsel. Mr. Lipsitz seconded the motion and it carried unanimously.

Mr. Lipsitz made a motion to leave Executive Session. Ms. Burdette seconded the motion and it carried unanimously. It is noted that no official actions were taken while in Executive Session.

Dr. Baer made a motion to grant the application pending RPP evaluation and compliance with their recommendation. Mr. Sellers seconded the motion and it carried unanimously.
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<th>Applicant</th>
<th>Action Taken</th>
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<td>Applicant Five</td>
<td>An applicant for licensure as a Registered Nurse by endorsement appeared before the Board. Dr. Baer made a motion to enter into Executive Session for the purpose of receiving legal counsel. Ms. Burdette seconded the motion and it carried unanimously. Mr. Sellers made a motion to leave Executive Session. Mr. Lipsitz seconded the motion and it carried unanimously. It is noted that no official actions were taken while in Executive Session. Dr. Baer made a motion to grant the application contingent upon RPP evaluation and compliance with RPP recommendations. Ms. Hazzard seconded the motion and it carried unanimously.</td>
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<td>Applicant Six</td>
<td>An applicant for licensure as a Licensed Practical Nurse by endorsement appeared before the Board. Ms. Hazzard made a motion to grant LPN endorsement for licensure. Dr. Baer seconded the motion and it carried unanimously.</td>
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<td>Applicant Seven</td>
<td>An applicant for licensure as a Registered Nurse by reactivation appeared before the Board. Dr. Baer made a motion to enter into Executive Session for the purpose of receiving legal counsel. Mr. Sellers seconded the motion and it carried unanimously. Mr. Lipsitz made a motion to leave Executive Session. Ms. Burdette seconded the motion and it carried unanimously. It is noted that no official actions were taken while in Executive Session. Dr. Baer made a motion to defer action upon full clearance from psychiatry. Mr. Sellers seconded the motion and it carried unanimously.</td>
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<td>Applicant Eight</td>
<td>An applicant for licensure as a Licensed Practical Nurse by reinstatement appeared before the Board. Ms. Hazzard made a motion to enter into Executive Session for the purpose of receiving legal counsel. Dr. Baer seconded the motion and it carried unanimously. Mr. Sellers made a motion to leave Executive Session. Ms. Burdette seconded the motion and it carried unanimously. Dr. Baer made a motion to grant the application with issuance of the following sanction for the discipline pending on the license: a private reprimand, completion of the NCSBN Ethics course, completion of the NCSBN Legal Aspects course and a civil penalty of $150 to be completed within six months. Mr. Sellers seconded the motion and it carried unanimously.</td>
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An applicant for licensure as a Registered Nurse by examination appeared before the Board.

Dr. Baer made a motion to enter into Executive Session for the purpose of receiving legal counsel. Ms. Burdette seconded the motion and it carried unanimously.

Mr. Sellers made a motion to leave Executive Session. Ms. Burdette seconded the motion and it carried unanimously. It is noted that no official actions were taken while in Executive Session.

Dr. Baer made a motion to defer the application pending resolution of outstanding criminal charges. Ms. Burdette seconded the motion and it carried unanimously.

Having no further business listed on the agenda, Mr. Lipsitz made a motion to adjourn the November 2017 Board of Nursing meeting at 12:41 p.m. Mr. Sellers seconded the motion and it carried unanimously.