

SC DEPARTMENT OF LABOR, LICENSING AND REGULATION
STATE BOARD OF NURSING

BOARD MEETING MINUTES – JULY 27-28, 2006

President White called the meeting to order at 8:30 a.m. on July 27, 2006 and at 8:35 a.m. on July 28, 2006. In accordance with the S.C. Freedom of Information Act, the meeting notice was properly posted in the Kingstree Building and provided to all requesting persons, organizations, and news media. A quorum was present at all times. The Board's mission was read: *The mission of the State Board of Nursing for South Carolina is the protection of public health, safety, and welfare by assuring safe and competent practice of nursing.*

CALL TO
ORDER PLACE
OF MEETING
AND FOIA
COMPLIANCE

Suzanne Kanipe White, RN, MN, FAAN, FCCM, CNA, President
Congressional District 4 Present

Brenda Yates Martin, RNC, MN, CNA, Vice-President
Congressional District 5 Present

C. Lynn Lewis, RN, EdD, MHS, Secretary
Congressional District 3 Present

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

Carrie Houser James, RN, MSN, CNA-BC, CCE
Congressional District 6Out at 2:30 Thursday / Present Friday

Mattie Smalls Jenkins, LPN
Region I, Congressional District 1.....Absent

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

Trey Pennington
Public MemberOut Thursday / Present Friday

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

One Public Member Vacancy

BOARD
MEMBERS
PRESENT AND
VOTING

Trey Pennington was welcomed to the Board of Nursing as the new public member. Governor Sanford appointed Mr. Pennington and the Senate confirmed his appointment on May 24, 2006 with an expiration date of December 31, 2009.

WELCOME NEW
BOARD
MEMBER

Ruby Brice McClain, Asst. Dep. Dir. – Health & Medically Related Professions
Joan K. Bainer, RN, MN, CNA BC, Administrator
David Christian, III, Program Coordinator – Licensure / Compliance
Annette M. Disher, Program Coordinator - Licensure
Maggie S. Johnson, RN, MSN, Program Nurse Consultant-Practice
Nancy G. Murphy, RN, MSN, Program Nurse Consultant-Education
Richard P. Wilson, Deputy General Counsel
Dwight Hayes, Litigation Counsel
Larry Atkins, Chief Investigator – Office of Investigations & Enforcement
Dottie M. Buchanan, Administrative Assistant

STAFF
MEMBERS
PRESENT

The agenda for the July 27, 2006 Board of Nursing meeting was presented to the Board for review and approval.

APPROVAL OF
AGENDA

A motion was made to approve the July 27, 2006 Board of Nursing meeting agenda as presented. The motion received a second. The motion carried unanimously.

MOTION

The following items were adopted on the consent agenda:

APPROVAL OF
CONSENT
AGENDA

- Revised ACON Members List
- ACON Minutes
- Updated Board Member List
- Board Member Web site Information
- Emergency Sys. Advance Reg. of Volunteer Health Professionals Program
- Bob Jones University Annual Summary - Preceptor Experiences
- Miller-Motte Tech. College- Letter of Intent - ADN Program with PN Exit Opt.
- Advanced Practice Committee Meeting Minutes
- Nursing Practice and Standards Committee Minutes
- Compliance Statistics
- Information: Licensure Statistics - Annette Disher
- Report-Applications Approved by Program Coordinator and Administrator

A motion was made to adopt the Consent Agenda with the removal of Legal Aspects Evaluation Summary. The motion received a second. The motion carried unanimously.

MOTION

The May 18, 2006 Strategic Planning Meeting and May 19, 2006 Board Meeting minutes were presented to the Board for their review and approval.

APPROVAL OF
MINUTES

A motion was made to approve the May 18, 2006 Strategic Planning Meeting and May 19, 2006 Board Meeting minutes with one correction. The motion received a second. The motion carried unanimously.

MOTION

The Board reviewed the minutes and recommendations from the June 27, 2006 Investigative Review Committee (IRC) meeting.

IRC MINUTES
JUNE 27, 2006

A motion was made to approve the Complaint Dismissals in the June 27, 2006 Investigative Review Committee meeting minutes. The motion received a second. The motion carried unanimously.

MOTION

A motion was made to approve the Formal Complaints in the June 27, 2006 Investigative Review Committee meeting minutes. The motion received a second. The motion carried unanimously.

MOTION

A motion was made to approve the Letters of Concern in the June 27, 2006 Investigative Review Committee meeting minutes. The motion received a second. The motion carried unanimously.

MOTION

The Board was provided with the June 8, 2006 Disciplinary Review Committee (DRC) Minutes for their review and approval.

DRC MINUTES
JUNE 8, 2006

A motion was made to approve the June 8, 2006 Disciplinary Review Committee minutes with one correction. The motion received a second. The motion carried unanimously.

MOTION

FINAL ORDER
HEARINGS

Memoranda of agreement regarding violation of previous orders as well as recommendations from the hearing panel were presented to the Board.

Victor G. Basily, RN was properly notified and appeared before the Board without legal counsel to respond to questions from the Board. Mr. Basily signed a memorandum of agreement admitting to violation of a previous order and waiving a formal hearing.

A motion was made to go into executive session for the purpose of receiving legal counsel. The motion received a second. The motion carried unanimously.

MOTION

A motion was made to return to disciplinary session. The motion received a second. The motion carried unanimously.

MOTION

A motion was made for Victor G. Basily's registered nurse license to remain suspended from the initial suspension for one year until March 2007, that he appear before the Board in March 2007 and complete a Legal Aspects of Nursing Workshop. The motion received a second. The motion carried unanimously.

MOTION

Gwendolyn R. L. Faulling, RN was properly notified and appeared before the Board without legal counsel to respond to questions from the Board. Ms. Faulling signed a memorandum of agreement admitting to violation of a previous order and waiving a formal hearing.

A motion was made to go into executive session for the purpose of receiving legal counsel. The motion received a second. The motion carried unanimously.

MOTION

A motion was made to return to disciplinary session. The motion received a second. The motion carried unanimously.

MOTION

A motion was made for Gwendolyn R. L. Faulling's registered nurse license remain suspended from the initial suspension until March 2007, that she appear before the Board in March 2007 and complete a Legal Aspects of Nursing Workshop, if documentation is received that this workshop has been completed within the past six months this requirement will be considered completed. The motion received a second. The motion carried unanimously.

MOTION

William E. Jordan, RN was properly notified and appeared before the Board without legal counsel to respond to questions from the Board. Mr. Jordan signed a memorandum of agreement admitting to violation of a previous order and waiving a formal hearing.

A motion was made for William E. Jordan's registered nurse license remain suspended from the initial suspension for one year until March 2007, participate fully in the Recovering Professionals Program (RPP), that he appear before the Board in March 2007 and complete a Legal Aspects of Nursing Workshop, if documentation is received that this workshop has been completed in the past six months this will be considered completed. The motion received a second. The motion carried unanimously.

MOTION

Respondent Debra M. McCraw, RN was properly notified and appeared before the Board without counsel to respond to questions from the Board. Ms. McCraw signed a memorandum of agreement admitting to violation of a previous order and waived formal

hearing. Ms. White recused herself due to Ms. McCraw's former employment with Greenville Memorial Hospital. Ms. Martin presided.

A motion was made to go into executive session for the purpose of receiving legal counsel. The motion received a second. The motion carried unanimously.

MOTION

A motion was made to return to disciplinary session. The motion received a second. The motion carried unanimously.

MOTION

A motion was made to suspend Debra M. McCraw's registered nurse license for one year with a stay, full participation in the Recovering Professionals Program (RPP) in line with the five year probation, narcotic restriction, and completion of a Legal Aspects of Nursing Workshop. The motion received a second. The motion carried unanimously.

MOTION

Respondent Brandie R. Stephens, RN was properly notified and appeared before the Board without counsel to respond to questions from the Board. Ms. Stephens signed a memorandum of agreement admitting to violation of a previous order and waiving a formal hearing.

A motion was made to go into executive session for the purpose of receiving legal counsel. The motion received a second. The motion carried unanimously.

MOTION

A motion was made to return to disciplinary session. The motion received a second. The motion carried unanimously.

MOTION

A motion was made that Brandie R. Stephens' registered nurse license be suspended for one year, suspension is immediately stayed and the license is placed in probationary status for five years with terms and conditions that include narcotics restrictions for two years, RPP participation with work place restrictions, completion of a legal aspects workshop within 90 days of the date of the final order, employer quarterly reports for a minimum of two years. The motion received a second. The motion carried unanimously.

MOTION

Laura Jane Tracy, RN was properly notified and appeared before the Board without counsel to respond to questions from the Board. Ms. Tracy signed a memorandum of agreement admitting to violation of a previous order and waiving a formal hearing.

A motion was made to go into executive session for the purpose of receiving legal counsel. The motion received a second. The motion carried unanimously.

MOTION

A motion was made to return to disciplinary session. The motion received a second. The motion carried unanimously.

MOTION

A motion was made that Laura Jane Tracy's registered nurse license be actively suspended for one year from the date of the temporary suspension and appear before the Board in March 2007 for further consideration. The motion failed.

MOTION

A motion was made to go into executive session for the purpose of receiving legal counsel. The motion received a second. The motion carried unanimously.

MOTION

A motion was made to return to disciplinary session. The motion received a second. The motion carried unanimously.

MOTION

A motion was made to suspend Laura Jane Tracy's registered nurse license for one year with a stay, full participation in the Recovering Professionals Program (RPP) in line with five year probation, narcotic restriction, and completion of a Legal Aspects of Nursing Workshop. The motion received a second. The motion carried unanimously.

MOTION

Although properly notified and with proper service upon the Board President, Janet R. Robinson, RN, did not appear before the Board and was not represented by legal counsel. In their Findings of Fact and Conclusions of Law, the Hearing Panel found that Ms. Robinson, RN was in violation of Sections 40-33-110(A)(3), (A)(5), and (A)(20)(1976) of the South Carolina Code of Laws as amended. The Hearing Panel recommended that Ms. Robinson's registered license be revoked.

A motion was made to accept the Hearing Panel's Findings of Fact and Conclusions of Law and recommendation that Janet R. Robinson's registered nursing license be revoked. The motion received a second. The motion carried unanimously.

MOTION

Michelle Renee Brown, LPN, was properly notified and appeared before the Board to respond to questions. In their Findings of Fact and Conclusions of Law, the Hearing Panel found that Ms. Brown was in violation of Sections 40-33-110(A)(4), and (A)(19)(1976) of the South Carolina Code of Laws as amended. The Hearing Panel recommended that Ms. Brown's license be indefinitely suspended and that Respondent be required to appear before the Board prior to reinstatement of her license.

A motion was made to reinstate Michelle Renee Brown's licensed practical nursing license with probation for one year with quarterly employer reports, and single state privileges only. The motion received a second. The motion failed with two abstentions and one nay vote.

MOTION

A motion was made to go into executive session for the purpose of receiving legal counsel. The motion received a second. The motion carried unanimously.

MOTION

A motion was made to return to disciplinary session. The motion received a second. The motion carried unanimously.

MOTION

A motion was made to reinstate Michelle Renee Brown's practical nurse license with single state privileges only; probation for one year with Board approved work setting, quarterly employer reports, on site/on shift registered nurse supervision, and complete a Legal Aspects Workshop within six months and that if documentation is received that this workshop has already been completed this requirement will be considered completed. The motion received a second. The motion carried unanimously.

MOTION

The motion was made to reinstate the license after the order has been signed. The motion received a second. The motion carried unanimously.

MOTION

The Board reviewed a case of a licensee not in compliance with a Final Order.

NON-
COMPLIANCE
HEARING

Dawn P Lantz, APRN appeared before the Board to respond to questions regarding compliance with the submission of quarterly employer reports in the Board's Final Order.

A motion was made to clarify the final order to require quarterly reports from the

MOTION

registered nurse supervisor, who is on site /on shift at all times as required by the Board, to be submitted every three months for the next year from wherever employed at that time. The motion received a second. The motion carried unanimously.

Mr. Christian explained that he receives batches of quarterly employer reports from the Recovering Professionals Program (RPP). There are problems with some advanced practice registered nurses (APRN) having a registered nurse available to provide on-site/ on-shift supervision. He further stated that he and Ms. Bainer are meeting with the RPP twice a month. The Board asked that Ms. Bainer, Board Administrator, approve work settings and supervisors in collaboration with Mr. Christian.

Endorsement applicants for licensure as registered and licensed practical nurses as well as National Council Licensure Examination candidates for registered and licensed practical nurses appeared before the Board regarding affirmative answers to questions regarding reported criminal and/or disciplinary records.

LICENSURE
APPEARANCES

Betty L. Thomas-Haymore, a registered nurse endorsement applicant from Arizona, appeared before the Board, without counsel, to respond to questions regarding affirmative answers to questions on her application regarding reported criminal and/or disciplinary records.

A motion was made to go into executive session for the purpose of receiving legal counsel. The motion received a second. The motion carried unanimously.

MOTION

A motion was made to return to disciplinary session. The motion received a second. The motion carried unanimously.

MOTION

A motion was made for Betty L. Thomas-Haymore to obtain a full psychological evaluation; if evaluation is positive for licensure, license will be issued with two year probation, Board approved work setting, quarterly employer reports, on-site / on-shift registered nurse supervision, and single state privileges only. The motion received a second. The motion carried unanimously.

MOTION

Julie L. Holben, a licensed practical nurse endorsement applicant from Ohio appeared before the Board without counsel to respond to questions regarding affirmative answers to questions on her application regarding reported criminal and/or disciplinary records.

A motion was made to license Julie L. Holben by endorsement as a licensed practical nurse in South Carolina. The motion received a second. The motion carried unanimously.

MOTION

Eric L. Sanders, a NCLEX Candidate for licensed practical nurse, appeared before the Board without counsel to respond to questions regarding affirmative answers to questions on his application regarding reported criminal and/or disciplinary records.

A motion was made to allow Eric L. Sanders to take the National Council Licensure Examination and upon successful completion be licensed as a licensed practical nurse in South Carolina. The motion received a second. The motion carried unanimously.

MOTION

Frank S. Wooten, Jr., a NCLEX Candidate for licensed practical nurse, appeared before the Board without counsel to respond to questions regarding affirmative answers to questions on his application regarding reported criminal and/or disciplinary records.

A motion was made to allow Frank S. Wooten, Jr. to take the National Council Licensure Examination and upon successful completion be licensed as a licensed practical nurse in South Carolina. The motion received a second. The motion carried unanimously.

MOTION

James T. Myers, a NCLEX Candidate for registered nurse, appeared before the Board without counsel to respond to questions regarding affirmative answers to questions on his application regarding reported criminal and/or disciplinary records.

MOTION

A motion was made to allow James T. Myers to take the National Council Licensure Examination and upon successful completion be licensed as a registered nurse in South Carolina. The motion received a second. The motion carried unanimously.

Susan E. McLester, a registered nurse endorsement applicant from Georgia, appeared before the Board without counsel to respond to questions regarding affirmative answers to questions on her application regarding reported criminal and/or disciplinary records.

MOTION

A motion was made to issue Susan E. McLester a license by endorsement with single state privileges only until the next renewal period. The motion received a second. The motion carried unanimously.

Ms. Bainer reported that staff had recently discovered that licensed practical nurses (LPN) have been allowed to supervise other LPNs in refresher courses. Ms. Bainer and Ms. Murphy are addressing this issue with the Board approved refresher course providers. Concern was expressed that administrative personnel rather than a registered nurse are approving refresher course clinical settings. The Board was in full agreement that a registered nurse still will supervise the registered nurses and licensed practical nurses in refresher courses.

REFRESHER
COURSE

Newberry College President Mitchell M. Zais, PhD appeared to discuss their letter of intent to begin a baccalaureate nursing program. Jeff Stout, Newberry College Provost and Cindy Roman of Lexington Medical Center also appeared. In addition to the support from Lexington Medical Center, they have also received a grant and have applied for other grants. Students will begin pre-nursing courses in 2007 and will compete for places in the nursing program the end of their sophomore year to begin the nursing program in their junior year. In future advertisements, Newberry College will state they are establishing a nursing program with an expected opening date of Fall 2009.

NEWBERRY
COLLEGE
LETTER OF
INTENT

Jody Madden, RN, MSN, Interim Chair of the Nursing Department at Aiken Technical College appeared before the Board to discuss their request to increase the associate degree nursing enrollment from 32 to 40. The school was approved to enroll 32 students in Fall 2006 or Winter 2007. In spring 2006, the school admitted 32 associate degree students and eight licensed practical nurses (LPN) to registered nurse (RN). The nursing program currently has seven masters prepared faculty members and an additional faculty member will move from adjunct clinical to full time faculty in July 2006. Another faculty member will begin in August 2006. Aiken Technical College appeared before the Advisory Committee on Nursing (ACON) Aiken Technical College in June 20, 2006. ACON recommended approval of the request for enrollment increase from 32 to 40 students in 2007.

AIKEN
TECHNICAL
COLLEGE
ADN
ENROLLMENT
INCREASE

A motion was made to grant approval for the Aiken Technical College Associate Degree nursing enrollment from 32 to 40 in Winter 2007 as recommended by the Advisory Committee on Nursing (ACON). The motion received a second. The motion carried unanimously.

MOTION

Rebecca King, Dean of Nursing Education at Piedmont Technical College appeared before the Board. A site survey was conducted on June 6 and 8, 2006 by Nancy G. Murphy, Nurse Consultant for Education. It was reported that the program has the support of the staff, students and community. The Greenwood campus of Piedmont Technical College utilizes a laboratory at Self Regional Healthcare that has been set aside just for students. The site survey was conducted at the same time the school began looking toward an associate degree program with a practical nurse exit. Because of this change efforts have been made to develop the new curriculum and not change the current PN curriculum. Board members encouraged the program to provide additional assistance to the students in the old curriculum.

PIEDMONT
TECHNICAL
COLLEGE
PN SITE
SURVEY
REPORT

A motion was made to approve the Piedmont Technical College Practical Nurse Program for three years. The motion received a second. The motion carried unanimously.

MOTION

Mary R. Mejias CEO and President of Mejias Medical Training Center appeared before the Board to discuss her letter of intent to offer a practical nursing program. Currently the Mejias Medical Training Center offers programs for certified nursing assistant, phlebotomy, and medical coding. The original date provided to Board staff was changed to comply with the 18 month requirement. Board of Nursing Regulation 91-30(A) requires a nursing education program to be part of college, university or public school system approved by the appropriate state or part of a hospital accredited by the Joint Commission on Accreditation of Healthcare Organizations (JCAHO). The Mejias Medical Training Center is not part of a college, university, school system or hospital. They are authorized by the Commission on Higher Education (CHE) to issue diplomas. Ms. Mejias has started Pre application with Southern Association of Colleges and Schools (SACS) in Georgia and the Accrediting Commission of Career Schools and Colleges of Technology (ACCSCCT). The Board discussed the requirements under Regulation 91-30(A). It was suggested that Mejias Medical Training Center wait and submit their Letter of Intent after receiving their SACS accreditation. An accreditation through SACS will allow the credits earned at Mejias Medical Training Center to transfer to other schools should students wish to further their careers. No action was taken by the Board at this time. Ms. Mejias withdrew her Letter of intent. She will resubmit after receiving accreditation and meeting all the requirements for nursing education programs in our state.

MEJIAS
MEDICAL
TRAINING
CENTER
LETTER OF
INTENT

Janet Ancone presented an explanation of substantive changes in nursing education programs that need to come before the Board drafted by Deans and Directors Council and presented to the Advisory Committee on Nursing in June 2006. Requirements of accrediting bodies and Board of Nursing regulations were considered when drafting this explanation. Changes that would require reporting the change to the Board as soon as possible include: 1) change in legal status, control or ownership, 2) decrease in resources at the institution that impact the ability to offer the programs at the current level, 3) change in status with accrediting agency. Substantive changes that would require prior Board approval include: 1) major curriculum revisions that involve changes in 50% or more of semester hours , 2) offering courses at an additional location; 3) offering greater than 50% of courses via distance education, 4) changes in

SUBSTANTIVE
CHANGES IN
NURSING
EDUCATION
PROGRAMS

degree/diploma offerings, 5) hiring a full-time faculty member in an associate degree program that has not completed at least 50% of the course requirements for a master's degree in nursing, and 6) hiring a full time faculty member in an associate degree or baccalaureate degree program who has a master's degree in another field but does not have a master's degree in nursing. Discussion included items on the list that were covered in current regulation or policies already established by the Board.

A motion was made to approve the explanation of substantive changes as presented by the Deans and Directors Council. The motion received a second. The motion carried unanimously.

MOTION

Ms. Bainer reported that the Dietetics bill passed but does not require Board action.

LEGISLATIVE
UPDATE

Senate Bill 910, which was the "Housekeeping" bill for changes in the Nurse Practice Act, was vetoed by the Governor. The legislature upheld the veto. There was confusion that the requirement for identification badges was a duplication of a similar requirement in the Lewis Blackman Act. The requirement for identification badges was originally in the regulations and inadvertently left out when moving regulations to the statute.

Ms. Bainer reported that changes to the nurse regulations were passed during this session which repealed some sections that were moved into the statute. The Compact regulations were also passed during this legislative session.

A motion was made to resubmit the Nurse Practice Act "Housekeeping" bill. The motion received a second. The motion carried with one nay.

MOTION

A revised 2007 calendar of board meetings, committee meetings and National Council of State Boards of Nursing (NCSBN) meetings was provided to the Board for their review and approval. The date of the May 2007 board meeting was changed to avoid conflicts with the Memorial Day weekend.

2007 BOARD
MEETING
CALENDAR
UPDATE

A motion was made to approve the amended list of dates for the 2007 meeting dates. The motion received a second. The motion carried unanimously.

MOTION

Board Members Brenda Martin, Debra Doria, and Carrie James along with staff members Joan Bainer and Nancy Murphy will attend the 2006 National Council of State Boards of Nursing (NCSBN) Annual Meeting and Delegate Assembly. Rose Kearney-Nunnery will also attend as Area III Director.

2006 NCSBN
ANNUAL
MEETING /
DELEGATE
ASSEMBLY

The primary delegates representing the South Carolina Board of Nursing will be Vice President Brenda Martin and Administrator Joan Bainer. Alternate delegates will be Board Members Debra Doria and Carrie James.

The Board asked the delegates to glean information from the presentations and determine South Carolina's vote. The Board discussed the changes to the NCSBN Bylaws. Some of the discussion included a lack of support for a change in the way directors are elected. They felt that delegate assembly should set the fees for associate members.

The Board adjourned at 5:10 p.m. on Thursday, July 17, 2006

The Board continued their discussion on issues to be brought up at the National Council of State Boards of Nursing (NCSBN) Annual Meeting and Delegate Assembly.

The Board discussed the candidates for NCSBN President, Vice President, Treasurer, Area III Director, and Director At Large. Again, the Board asked the delegates to glean information from the presentations and determine South Carolina's vote.

Compact administrators will be discussing criminal background checks. The Compact states are moving in the direction of requiring criminal background checks. Mr. Wilson suggested adding language to authorize the Board to conduct criminal background checks to the Housekeeping Bill. The language will need to meet the specific requirements of the Federal Bureau of Investigations (FBI) and other law enforcement agencies. If the language does not meet their model, they cannot provide the information requested. The Board of Medical Examiners has language in their practice act which has been approved by the FBI and also allows their board to perform background checks on respondents in a disciplinary case. If approved, the Board will need to discuss whether this will be retroactive, for new applications only or require at the next renewal.

The Advanced Practice Registered Nurse (APRN) Vision Paper has been removed from the NCSBN Annual Meeting agenda. There will be no forum to address this issue at this time. A web seminar will be planned in the future.

The Disciplinary Taskforce presented the revised disciplinary sanctions chart developed during their conference call. This chart is used as a guideline for members of the Board's disciplinary panels and committees. Ms. Bainer thanked Dr. Lewis, Ms. Martin, Ms. McClain, Mr. Wilson, Mr. Atkins, Mr. Hayes and Ms. Buchanan for their hard work on this project.

DISCIPLINARY
TASKFORCE
REPORT

The Board reviewed the sanctions guidelines chart and after much discussion made minor changes. It was noted that these are only guidelines and that mitigating or aggravating circumstances will be taken into consideration when recommendations are made by the Board's disciplinary panels and committees.

Mr. Christian is gathering information from other Compact states regarding their sanctions and civil penalties. Ms. Bainer is also gathering information from our border states. These statistics will be used as reference but not to mirror their sanctions in our state. The Board asked that mitigating or aggravating factors be included on the documents with panel reports so the Board would understand deviation from the guidelines.

Initial to Full Approval Process

At the May 2006 meeting, the Board requested input and recommendations from the Advisory Committee on Nursing (ACON) regarding the nursing education survey process for full approval and for a streamlined process for initial and full program approval. Currently, a site survey is conducted for initial approval and then after the first graduating class a follow up survey is conducted for full approval. The Board accepts accreditation from accrediting agencies such as the National League for Nursing Accrediting Commission (NLNAC) or Commission on Collegiate Nursing Education (CCNE) in lieu of survey for continuing program approval. National Council Licensure Examination (NCLEX) pass rates are reviewed and provide a measure of safety. The accreditation status does not affect the review or the deficiency process. Initial approval

NURSING
EDUCATION
SURVEYS

from NLNAC and CCNE can range from three to five years. ACON discussed the fact that accreditation is only a snapshot of that particular time, not a vision of the future and things could change the day after the accreditation. It was noted that is also true for the Board's site surveys. ACON recommended that the Board consider full accreditation status from a national accreditation agency in lieu of site visit and report by board staff in the initial to full approval process. The subject of attrition was discussed as a possible factor. It was noted that a program could challenge the Board if the information requested is not supported by statutory authority. The new annual report form will be presented at the September Board meeting.

A motion was made that the Board consider full accreditation status from a national accreditation agency in lieu of site visit and report by board staff in the initial to full approval process as recommended by the Advisory Committee on Nursing (ACON). The motion received a second. The motion carried with three yea votes, two nay votes, and three abstentions.

MOTION

A motion was made for all schools due for on site visit whether for continuing or new program approval beginning in January 2007 use new annual report in lieu of a site survey as a pilot, that the report is to be shared with board staff and the full Board, that Board will approve a summary of annual reports, and that Board may reinstitute site survey requirement at its discretion. The motion received a second. The motion carried unanimously.

MOTION

New Program Process

New programs are provided with information on what is required for program approval and what is required at the initial site survey. Some schools are saying that they do not have the money to hire a nurse administrator before approval. New programs state that the Board is delaying them by requiring that they appear before ACON again to address this deficiency. The Board reiterated that the regulations require that all nursing programs must meet all requirements to include a nurse administrator and faculty to support the number of proposed students and provide documentation of such at the site survey. If they have not met the requirements at the time of the survey and first appearance before ACON, they must reappear before ACON before ACON can make a recommendation to the Board.

Regulation 91-30(A) requires a nursing education program to be part of college, university or public school system approved by the appropriate state or part of a hospital accredited by the Joint Commission on Accreditation of Healthcare Organizations (JCAHO). Currently, the practical nurse regulations require accreditation. Accreditation is very important in determining whether credits will transfer to another educational institution. Which accreditations are accepted is determined on a college-by-college basis.

Survey Scheduling Update

Ms. Murphy reported that the Department of Labor, Licensing and Regulation approved Dr. Bernice Kennedy to assist with the surveys left by staffing changes.

Ms. Johnson reported that the Nursing Practice and Standards Committee received a request from Bob Barnwell, Perinatal Nurse Administrator with the Department of Health and Environmental Control (DHEC) for review of Advisory Opinion #30. DHEC recently received a request from a dialysis clinic that wanted an unlicensed patient care teammate to do the initial assessment on a dialysis patient, place them on the dialysis

REVISION OF
ADVISORY
OPINION #30

machine and then a licensed nurse would assess the patient during dialysis. There was concern that this would become standard practice in dialysis clinics. The Nursing Practice and Standards Committee voted unanimously to add a sentence to Advisory Opinion #30 requiring a registered nurse to complete an assessment of the dialysis patient prior to the initiation of each dialysis treatment.

MOTION

A motion was made to approve the revision of Advisory Opinion #30 by adding the sentence, “*The RN must complete an assessment of the dialysis patient prior to the initiation of each dialysis treatment.*” The motion received a second. The motion carried unanimously.

PREP

Ms. Johnson provided the Board members with a packet of information on the Practitioner Remediation and Enhancement Partnership (PREP) program. This same information is provided to facilities considering participation in the program. Ms. Johnson also included a letter from the Citizen Advocacy Center regarding the continuance of the program.

Ms. Johnson reported that ten healthcare facilities including some larger facilities across the state have signed up for the PREP program. She is meeting with other facilities who are interested. To date, eight nurses have completed the program. The nurse consultant discusses the specific situation with the facility representative to determine if PREP is appropriate for this nurse. If PREP is appropriate, remediation and/or monitoring plans are established with the employer and the nurse.

The Board asked to receive a report on PREP on a regular basis to include information such as the number of facilities participating, number of nurses in the program, how many nurses have completed the program, and types of issues. There is concern about the workload as more facilities and nurses participate in the program. Ms. Bainer will contact other states to see how they are handling the program in their states.

APRN AUDIT
UPDATE

The advanced practice registered nurse (APRN) audit has begun. Letters requesting audit documentation were sent to 5% of the nurse practitioners (NP), 5% of the certified nurse midwives (CNM), 5% of the clinical nurse specialists (CNS) and 5% of the certified nurse anesthetists (CRNA). A report of this audit will be provided at the September board meeting.

RN / LPN AUDIT

Letters for the licensed practical nurse and registered nurse audits were mailed. We have heard from nurses who have changed their minds about the option they chose on their renewal, some didn’t remember the option they chose or didn’t remember making a choice and some question the Board’s authority to audit.

MONITORING

Mr. Christian reported that a monitoring module began being utilized in May 2006. He provided the following listing outlining routine compliance and monitoring of disciplined cases from March 2006 to July 2006. An updated report will be provided at the September 28-29, 2006 Board of Nursing meeting.

Consent Agreement	80	RPP	31
Final Order	01	Private Reprimand	22
Private Agreement	04	Public Reprimand	18
Education	04	Probation	28
Fine	23	Stay of Suspension	13
Legal Aspect Workshop	83	Suspension	3

NURSING
PROGRAM
CERTIFICATE
OF
ENDORSEMENT

Board staff received the following two questions.

Question #1: As a licensed person do I have any legal responsibility to report positive student drug screens to the hospitals that they are assigned to that do not require drug screens?

The Board of Nursing has no authority in this situation. It is recommended that the licensee review the facility and school's policies and procedures.

Question #2: As a licensed person do I have any legal responsibility to report positive student drug screens when they enter the nursing program to the Board of Nursing when I endorse them for the NCLEX?

The current Certificate of Endorsement for nursing education includes a statement that "*the applicant has/ has not committed acts which may be grounds for disciplinary action as set forth in the S.C. Nurse Practice Act.*" There is no statutory authority cited on the form for this statement. It was noted that the knowledge of the check/screen results are often kept in different areas and not shared with the dean or faculty to prevent bias and maintain confidentiality. It was noted that the examination application asks about counseling or discipline while in the nursing education program due to problems with chemical, mental or physical impairment and it is the responsibility of applicant to report this information on applications.

A motion was made to remove statement that "*the applicant has/ has not committed acts which may be grounds for disciplinary action as set forth in the S.C. Nurse Practice Act.*" from the Certificate of Endorsement for nursing education program. The motion received a second. The motion carried unanimously.

MOTION

The next Board of Nursing meeting is scheduled for September 28-29, 2006.

NEXT MEETING

A motion was made to adjourn the meeting at 11:45 a.m. on July 28 2006. The motion received a second. The motion carried unanimously.

ADJOURNMENT

Dottie Buchanan, Administrative Assistant