

Tennessee Board of Nursing  
665 Mainstream Drive  
Electronic Meeting/Iris Room  
Nashville, Tennessee

Disciplinary Meeting  
MINUTES  
June 28, 2021

Monday, June 28, 2021

Call to Order: The electronic meeting of the Tennessee Board of Nursing was called to order at 2:00 pm, June 28, 2021 in the Iris Room.

In order to ensure all requirements were met to have a valid electronic meeting several requirements for electronic meetings were reviewed with the board – each of which required a roll call vote. Participants were asked to introduce self each time before speaking.

Margaret Daniel, Nurse Consultant, conducted roll call to ensure each participant was connected:

<u>NAME</u>	<u>RESPONSE</u>	
Sheila Bouie, RN	Y	N
Leslie Akins, APRN	Y	N
Dru Malcolm, RN	Y	N
Samuel Alston, LPN	Y	N

Margaret Daniel, Nurse Consultant, conducted roll call to determine that each participant heard the responses of all other participants:

<u>NAME</u>	<u>RESPONSE</u>	
Sheila Bouie, RN	Y	N
Leslie Akins, APRN	Y	N
Dru Malcolm, RN	Y	N
Samuel Alston, LPN	Y	N

Another formality of electronic meetings is identification of all people present. For those board members participating electronically, each board member acknowledged the presence of anyone with them in the room.

Sheila Bouie	No one present
Samuel Alston	No one present
Leslie Akins	No one present
Dru Malcolm	No one present

Margaret Daniel acknowledged the presence of other Department of Health employees connected to the WebEx video conference. Department of Health attorneys Kaitlin Parham, Ashley Fine, Eric Winters, Kevin Griffin, Megan Gottschall, Nathaniel Flinchbaugh, Tammy Glasgow. From the Board of Nursing staff Rhonda Potter, RN, and Tanya McCray-Hicks.

Court Reporter, Carol Briggs, present by WebEx with no one else present with Ms. Briggs.

Respondent Kelly McCallum and her attorney, Dale Conder, present by WebEx as well as Rebecca Parfait and Stephanie Edwards.

A quorum was present pursuant to T.C.A. 63-7-116 (i) - for disciplinary matters 3 or more members shall constitute a quorum. The purpose of this electronic meeting was being held in order to consider essential matters including a TCA 4-5-320 (d)(1)(b) review of the recent summary action against the license and certificate of Kelly McCallum and ratification of settlement orders to protect the health, safety, and welfare of Tennesseans. This TCA 4-5-320 (d)(1)(b) review of the recent summary action is intended to be an informal, reasonable opportunity for Kelly McCallum, RN, APRN to present her version of the situation to the panel. The sole issue to be considered is whether the public health, safety or welfare imperatively required the emergency action taken by the Board against Ms. McCallum's license and certificate in the hearing on June 11, 2021.

The Board's meeting rooms are in Nashville, TN. The Board members reside in various parts of the state. The majority of the Board's members live several hours away from Nashville, and each Board member participating live several hours away from Nashville.

All Board members acknowledged receipt of documents via a cloud link.

Dr. Malcolm moved to proceed with the electronic meeting. Dr. Bouie seconded the motion, roll call vote:

<u>NAME</u>	<u>RESPONSE</u>	
Sheila Bouie, RN	Y	N
Leslie Akins, APRN	Y	N

Dru Malcolm, RN	Y	N
Samuel Alston, LPN	Y	N

Motion carried.

Ms. Daniel asked for a motion and a second followed by a roll call to determine if the matter or matters to be discussed meet the following requirements for an electronic meeting:

1. The subject matter requires timely action.
2. The physical presence of all members of the Board is not possible considering the time period required for action, and
3. The participation by some or all of the members of the board by electronic or other means is necessary.

Dr. Bouie made a motion to find that the requirements for an electronic meeting have been met. Dr. Malcolm seconded the motion. Roll call vote:

<u>NAME</u>	<u>RESPONSE</u>	
Sheila Bouie, RN	Y	N
Leslie Akins, APRN	Y	N
Dru Malcolm, RN	Y	N
Samuel Alston, LPN	Y	N

Motion carried.

Ms. Daniel reminded each participant to introduce themselves each time before speaking and turned the electronic meeting over to Ms. Bouie, Chair.

Roll Call and Quorum

Present: Sheila Bouie, RN; Leslie Akins, APRN; Dru Malcolm, RN; Samuel Alston, LPN.

Dr. Bouie declared a quorum present.

Dr. Bouie asked Mr. Conder and Ms. McCallum to proceed.

Following presentation, testimony and discussion by the panel, Ms. Akins moved to amend the findings of fact by striking 15, 16 in the proposed order of summary suspension. Dr. Malcolm seconded.

Roll call vote:

<u>NAME</u>	<u>RESPONSE</u>	
Sheila Bouie, RN	Y	N
Leslie Akins, APRN	Y	N
Dru Malcolm, RN	Y	N
Samuel Alston, LPN	Y	N

Motion carried.

Ms. Akins moved to strike #17 from the conclusions of law as written in the state’s proposed order of summary suspension. Dr. Bouie seconded, roll call vote:

<u>NAME</u>	<u>RESPONSE</u>	
Sheila Bouie, RN	Y	N
Leslie Akins, APRN	Y	N
Dru Malcolm, RN	Y	N
Samuel Alston, LPN	Y	N

Motion carried.

Ms. Bouie authorized Margaret Daniel, Nurse Consultant, to sign the orders presented today on her behalf.

The board upheld the previous decision for summary suspension of RN license 142041 and APRN license 13555.

Agreed/Consent Orders

Ashley Fine

T. Horne	RN 165982	Mr. Alston moved to accept the consent order. Seconded by Ms. Akins, roll call vote: Shiela Bouie—yes Leslie Akins—yes Dru Malcolm—yes Samuel Alston-- yes
----------	-----------	--

		Motion carried.
--	--	-----------------

Megan Gottschall

L. Rush	RN 88746	Ms. Akins moved to accept the consent order. Seconded by Dr. Bouie, roll call vote: Sheila Bouie—yes Leslie Akins—yes Dru Malcolm—yes Samuel Alston--yes Motion carried.
---------	----------	---

Kevin Griffin

S. Clark	RN 81544	Dr. Malcolm moved to accept the consent order. Seconded by Ms. Akins, roll call vote: Sheila Bouie—yes Leslie Akins—yes Dru Malcolm—yes Samuel Alston-- yes Motion carried.
A. Funk	RN 38382	Ms. Akins moved to accept the consent order. Seconded by Mr. Alston, roll call vote: Sheila Bouie---yes Leslie Akins—yes Dru Malcolm—yes Samuel Alston-- yes Motion carried.
A. Horner	RN 56816	Dr. Malcolm moved to accept the consent order. Seconded by Dr. Bouie, roll call vote: Sheila Bouie---yes Leslie Akins—yes Dru Malcolm—yes

		Samuel Alston-- yes Motion carried.
--	--	--

Eric Winters

F. Berry	RN 168989	Dr. Bouie moved to accept the consent order. Seconded by Dr. Malcolm, roll call vote: Sheila Bouie—yes Leslie Akins—yes Dru Malcolm—yes Samuel Alston-- yes Motion carried.
N. Courtland	RN 132291	Dr. Malcolm moved to accept the consent order. Seconded by Mr. Alston, roll call vote: Sheila Bouie---yes Leslie Akins—yes Dru Malcolm—yes Samuel Alston-- yes Motion carried.
S. Novak	RN 73211	Mr. Alston moved to accept the consent order. Seconded by Ms. Akins, roll call vote: Sheila Bouie---yes Leslie Akins—yes Dru Malcolm—yes Samuel Alston-- yes Motion carried.
M. Vosberg	96116	Dr. Malcolm moved to accept the consent order. Seconded by Ms. Akins, roll call vote: Sheila Bouie---yes Leslie Akins—yes Dru Malcolm—yes Samuel Alston-- yes Motion carried.

Dr. Malcolm moved to adjourn the meeting, second by Samuel Alston. Roll call vote:

Sheila Bouie—yes

Leslie Akins—yes

Dru Malcolm—yes

Samuel Alston--- yes

Motion carried.

Meeting adjourned at 4:37 pm.

