

Tennessee Board of Nursing
665 Mainstream Drive
Iris and Poplar Rooms
Nashville, Tennessee

MINUTES

November 18-19, 2021

Thursday, November 18, 2021

Call to Order

Sheila Bouie, Chair called the meeting to order at 8:36 a.m. in the Iris Room.

Roll Call and Quorum

Sherry Richardson called roll.

Present: Juanita Turnipseed, APRN; Charlotte Webb, APRN; Samuel Alston, LPN; Sheila Bouie, RN; Dru Malcolm, RN; Angela Beard, RN; Lee Mills, Public Member; Sheryl Wright, APRN; Amber Wyatt, APRN; Martina Harris, RN (arrived at 9:00 a.m.)

A quorum was present.

Welcome and Introduction of Guests

Dr. Bouie welcomed the Board members and guests in the audience. Any guests were asked to introduce themselves. Teresa Phillips, Executive Director of TnPAP was present in the audience

Introduction of Staff

Sherry Richardson, Executive Director introduced staff.

Board staff:

Tanya McCray-Hicks, Administrative Director

Mario Tamayo, Administrative Director

Margaret Daniel, Nurse Consultant

Rhonda Potter, Nurse Consultant

Cynthia Rae Ellis, Nurse Consultant

Mark Waters, Deputy General Counsel

Mr. Waters Introduced the Legal Staff

Nathanial Flinchbaugh- Attorney

Kevin Griffin – Attorney

Megan Gotschall – Attorney

Ashley Fine- Attorney
Eric Winters - Attorney

Approval of minutes

Ms. Wyatt moved to approve minutes for the August 25-26, 2021 and November 10, 2021, Board Meeting Minutes. Ms. Turnipseed seconded; motion carried

Disciplinary Business

Assign Panels and Panel Chairs

Dr. Bouie assigned panels and panel chairs:

Panel 1 –Bouie, Alston, Beard, Wright, Mills

Panel 2 –Wyatt, Turnipseed, Malcolm, Webb, Harris

Call the Docket

Mr. Mark Waters called the docket.

Panel 1	Panel 2
Sheila Bouie, Chair	Amber Wyatt, Chair
Angela Beard	Charlotte Webb
Samuel Alston	Dru Malcolm
Sheryl Wright	Martina Harris
Lee Mills	Juanita Turnipseed

Disciplinary Business: Panel 1, Iris Room; Panel 2, Poplar Room. Panel 2 adjourned to the Poplar Room.

Panel 1 – Sheila Bouie - Chair, Angela Beard, Samuel Alston, Sheryl Wright, Lee Mills

A quorum was present. Administrative Law Judge Rachel Waterhouse preside

<u>Jennifer Susan Notestine</u> 1408 Clifford Court Mt. Juliet, TN 37122 1600 N. Wilmot Road, Unit 15 Tucson, AZ 85712	LPN 64840	Fine, State's Attorney	Ms. Notestine was not present and not represented by counsel. Ms. Fine requested to proceed in default. Judge Waterhouse found sufficient evidence to proceed in default. Mr. Mills moved to proceed in default. Ms. Wright seconded, motion carried. Following presentation of proof and testimony, Mr. Alston moved to accept findings of fact paragraphs 1-
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			<p>4 Mr. Mills seconded, motion carried.</p> <p>Mr. Alston moved to accept the conclusions of law contained in paragraphs 5-7 of the state's proposed order. Mr. Mills seconded, motion carried.</p> <p>Mr Mills moved to accept the disciplinary action as proposed as written in paragraphs 8-9 with revocation of license. Ms. Wright seconded, motion carried.</p> <p>Mr. Alston moved to accept costs proposed as written in paragraph 9 of the state's proposed order. Ms. Wright seconded, motion carried.</p> <p>Dr. Bouie read the policy statement of the board to protect the health, safety and welfare of the citizens of Tennessee. The Board finds the appropriate action taken, motion carried.</p>
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<p><u>Gianfranco Capasso</u> 3336 Hwy 107 Unicoi, TN 37392</p> <p>Docket # 17.19-211776A</p>	RN233304	Gottschall, State's Attorney	<p>Mr. Gianfranco was not present and not represented by counsel. Ms. Gottschall requested to proceed in default. Judge Waterhouse found sufficient evidence to proceed in default. Mr. Mills moved to proceed in default. Ms. Wright seconded, motion carried.</p> <p>Following presentation of proof and testimony, Ms. Wright moved to accept findings of fact paragraphs 1-4 Mr. Mills seconded, motion carried.</p> <p>Ms. Wright moved to accept the conclusions of law contained in paragraphs 5-7 of the state's proposed</p>
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		<p>order. Ms. Beard seconded, motion carried.</p> <p>Mr. Mills moved to accept the disciplinary action as proposed as written in paragraphs 8-14 with standard TnPAP. Ms. Wright seconded, motion carried.</p> <p>Ms. Wright moved to accept the notice as proposed as written in paragraphs 15-24. Mr. Mills seconded, motion carried.</p> <p>Dr. Bouie read the policy statement of the board to protect the health, safety and welfare of the citizens of Tennessee. Move to accept by Mr. Alston, seconded by Ms. Wright. The Board finds the appropriate action taken, motion carried.</p>
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Panel 2 –Amber Wyatt, Chair, Juanita Turnipseed, Dru Malcolm, Charlotte Webb, Martina Harris

Agreed/Consent Orders

Nathaniel Flinchbaugh

Dena L. Crews	LPN 74795	Ms. Turnipseed moved to accept the consent order. Seconded by Dr. Harris; motion carried.
Carley S. Davis	RN 170379	Dr. Macolm moved to accept the agreed order. Seconded by Dr. Webb ; motion carried.

Gerald Dolan

Christina Birchfield	RN 160237 APRN 22765	Ms. Turnipseed moved to accept the consent order. Seconded by Dr. Webb; motion carried.
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Eric Winters

Chelsie B. Curtis	LPN 82914	Ms.Turnipseed moved to accept the consent order. Seconded by Dr. Webb; motion carried.
Rebecca N. Griffith	RN 177743	Dr. Webb moved to accept the consent order. Seconded by Dr. Harris; motion carried.
Jessica C. Cupp	RN 164058	Ms.Turnipseed moved to accept the consent order. Seconded by Dr. Webb; motion carried.
Amanda D. Flowers	RN 174568	Dr. Malcolm moved to accept the consent order. Seconded by Ms. Turnipseed; motion carried.
Jessica Ledwa	RN 170169	Ms.Turnipseed moved to accept the consent order. Seconded by Dr. Harris; motion carried

Megan Gottschall

Crystal Belt	LPN 93996	Ms.Turnipseed moved to accept the consent order; Seconded by Dr. Malcolm. Motion carried.
Sarah Allen Cox	RN 242439	Dr. Malcolm moved to accept the consent order. Seconded by Dr. Webb; motion carried.
Wendy G Kirchhofer	RN 190878	Ms. Turnipseed moved to accept the consent order. Seconded by Dr Malcolm; motion carried.
Melvin Kitts	RN 183381	Ms. Turnipseed moved to accept the consent order. Seconded byDr. Malcolm ; motion carried.
Rachel Scruggs Lewers	LPN MS 325448	Dr. Malcolm moved to accept the consent order. Seconded by Dr. Webb ; motion carried.
Andrea L. Marshall	RN 89828	Dr. Malcolm moved to accept the consent order. Seconded by Ms.Turnipseed; motion carried.
Renee Melton	LPN 67173	Ms.Turnipseed moved to accept the consent order. Seconded by Dr. Malcolm; motion carried.
Lindsay Monroe	LPN 94275	Ms. Turnipseed moved to accept the consent order. Seconded by Dr. Malcolm; motion carried.
Katherine Wiggins	RN 73576	Ms. Turnipseed moved to accept the consent order. Seconded by Dr.

		Malcolm; motion carried.
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Elyse Nida

Andrew Gibson	LPN 85108	Dr. Harris moved to accept the consent order. Seconded by Dr. Webb; motion carried.
Megan Holtsclaw	LPN 84796	Ms. Turnipseed moved to accept the consent order. Seconded by Dr. Harris; motion carried.
Tabitha Russell	RN 120463	Ms. Turnipseed moved to accept the consent order. Seconded by Dr. Webb; motion carried.
Robin Oaks	RN 174444	Dr. Malcolm moved to accept the consent order. Seconded by Ms. Turnipseed; motion passed.

Kaitlin Parham

Kimberly Jones	RN 180624 APRN 19672	Ms. Turnipseed moved to accept, consent order. Seconded by Dr. Malcolm; motion carried.
Pamela D. Shockley	RN 148720 APRN 22051	Ms. Turnipseed moved to accept consent order. Seconded by Dr. Harris; motion carried.

Ashley Fine

Katherine E. Clark	RN 168996	Dr. Webb moved to accept the consent order. Seconded by Ms. Turnipseed; motion carried.
Ammatur Egin	RN 203967	Dr. Harris moved to accept, Dr. Malcolm seconded motion carried.
Betty Mafnas	LPN 53510	Dr. Malcolm moved to reject order as written and add Standard TnPAP. Seconded by Dr. Harris to

		reject order as written and add Standard TnPAP; motion carried will be rejected as written.
Melba G. Thomas	RN 134607	Ms. Turnipseed moved to reject order as written and add EBAS exam- Unprofessional Conduct and Professional Standards within 6 months to complete. Seconded by Dr. Malcolm to reject order as written and add EBAS exam Unprofessional Conduct and Professional Standards within 6 months to complete; motion carried to reject as written and add EBAS exam on Unprofessional Conduct and Professional Standards to complete within 6 months.
Deborah Beatty Thurman	RN 110623	Ms. Turnipseed moved to accept the consent order. Dr. Webb seconded; motion carried.

Kevin Griffin

Ashley Harp	RN207682	Dr. Webb moved to accept the consent order. Ms. Turnipseed seconded; motion carried.
Tootie L. Ritchey	RN 170871	Dr. Webb moved to accept the consent order. Seconded by Dr. Malcolm; motion carried.
Naomi D. Taylor	LPN 74163	Ms. Turnipseed moved to accept the consent order, Dr. Malcolm seconded, motion carried.
Catherine A. Watson	MS RN 880990	Dr. Malcolm moved to accept the order, Ms. Turnipseed seconded, motion carried.

Amended Consent Agenda Ms. Turnipseed made a motion to adopt revised agenda, Ms. Wyatt seconded; motion carried.

TnPAP Update- Ms.Teresa Phillips, Executive Director TnPAP- Ms. Phillips reviewed the mission of TnPAP and shared that TnPAP serves 7 Boards currently and advocates for individuals who are compliant in the TnPAP program. Ms.Phillips reviewed the different aspects of TnPAP and process in the program. She discussed the referral process for the program as well. Dr. Bouie requested future information and break down on diversity in the program regarding gender, race, age, and licesure type.

Consent Agenda

Ms. Turnipseed moved to adopt the revised consent agenda items and reports as presented; Mr. Mills seconded; motion carried.

Discuss/Approve Travel

- NCSBN Mid- Year Meeting- March 15-17, 2022 St. Louis, Missouri- Requesting 5 attendees
- APRN Roundtable- April 12, 2022- Rosemont, Illinois – Requesting 2 attendees.
- RX Drug Abuse and Heroin Summit- April 18-21, 2022- Atlanta, GA- Requesting 2 attendees.
- NCSBN Board of Nursing Investigator Taining- March 29-31- Rosemont, Illinois- May send 1-2 or 3 attendees. (Office of Investigations)

Ms. Wyatt moved to accept the approval of travel and Dr.Harris seconded, motion carried.

Consider Petitions for Order of Compliance and Modification—Mark Waters, Deputy General Counsel.

<u>Amy Bowser</u>	APRN 10654	Ms. Wyatt moved to accept the Order of Compliance. Seconded by Ms. Turnipseed; motion carried.
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Consider Vote to Approve ED Application Review Committee Recommendation- Mark Waters, Deputy General Counsel and Ms. Potter , PHNC2

Conditional Orders:

- Laura Davis: Ms. Turnipseed moved to accept the ARC recommendation; Dr. Harris seconded; motion carried.

- Susan Haston: Ms.Turnipseed moved to accept the ARC recommendation; Ms.Wyatt seconded; motion carried.
- Lisa Jones: Dr. Malcolm moved to accept the ARC recommendation; Dr.Harris seconded; motion carried.
- Melissa Smith: Ms Turnipseed moved to accept the ARC recommendation; Dr. Webb seconded; motion carried.

Motion made by Dr. Harris to recess meeting. Seconded by Dr. Malcolm; Motion carried; meeting recessed at 12:07 p.m. and will reconvene on November 19, 2021, at 8:30 a.m.

Friday November 19, 2021

Meeting reconvened at 8:30am on Friday November 19, 2021

Call to Order

Sheila Bouie, Chair called the meeting to order at 8:30 a.m. in the Iris Room.

Roll Call and Quorum

Ms. Sherry Richardson called roll.

Sherry Richardson called roll.

Present: Juanita Turnipseed, APRN; Charlotte Webb, APRN; Samuel Alston, LPN; Sheila Bouie, RN; Dru Malcolm, RN; Martina Harris, RN ;Lee Mills, Public Member; Sheryl Wright, APRN; Amber Wyatt, APRN

Absent: Angela Beard, RN

A quorum was present

Welcome and Introduction of Guests

Dr. Bouie welcomed the Board members and guests in the audience. No guests identified themselves.

Introduction of Staff

Sherry Richardson, Executive Director introduced Board Staff:

Margaret Daniel, Nurse Consultant

Rhonda Potter, Nurse Consultant

Cynthia Rae Ellis, Nurse Consultant

Mark Waters, Deputy General Counsel

Open Forum

No one from the public/audience addressed the Board Members.

School Hearings— Ms. Daniel, PHNC2 Ms Ellis, PHNC2

Bryan College- Dayton, TN.

Seeking initial approval of Bachelor of Science in Nursing Degree Program. Presenting information- Dr. Pamela Giles Dean of Nursing. Following the presentation and discussion, Ms. Wyatt made motion to grant approval to Bryan College for Initial Application of Bachelor of Science in Nursing Degree Program. Ms. Wright seconded; motion carried

Baptist Health Sciences University- Memphis, TN

Seeking full approval of DNP program. Presenting information-Dr. Anne Plumb, Dean. Following the presentation and discussion, Dr. Malcolm made motion to grant full approval of Baptist Health Sciences University DNP Program. Dr. Harris seconded; motion carried

Volunteer State Community College- Gallatin, TN

Seeking full approval of Associate of Applied Science in Nursing Program. Presenting information- Dr. Cassie Koester. Following the presentation and discussion, Ms. Wyatt made motion to grant full approval of the Associate of Applied Science in Nursing Program at Volunteer State Community College. Dr. Webb seconded; motion carried.

Standifer Medication Aide Program- Chattanooga, TN

Seeking approval for the Medication Aide Program. Presenting information – Susan Johnson- Program Director and Ken Stonebrook- Administrator ALF. Following the presentation and discussion, Dr. Harris made a motion to grant approval of the Standifer Medication Aide Program. Dr. Malcolm seconded; motion carried.

Additional Agreed/Consent Orders: Mark Waters, Deputy General Counsel

Carlee B. Myers	LPN 68852	Dr. Harris made motion to accept consent order as written. Ms. Wyatt seconded; motion carried.
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Fiscal Report- Ms. Alicia Grice, Fiscal Director- Ms. Grice presented the Fiscal Report for June 1, 2020- July 1, 2021.

Consider Vote to Approve ED Application Review Committee Recommendations- Ms. Potter PHNC2

ARC request to appear before Board after ARC recommendation to deny Multi-state privilege on RN License.

Name	ARC Recommendation	Board Action
<p><u>Mallory Hamsher</u> Present Nashville, TN 37205</p> <p>Seeking Reinstatement of Multi State Privilege on RN License # 166848</p> <p>Original License: 07/25/2008 Expiration Date: 06/30/2022</p> <p>Revoked APRN License # 17104</p> <p>Original License: 10/11/2012 Expiration Date: 05/27/2014</p>	<p>Recommendation from ARC meeting on 9/23/21 was denial of application for multistate privilege on RN license.</p> <p>T.C.A. 63-7-115 (a)(1)(C)(F)</p> <p>Unfit by reason of negligence, habits, or other cause; and guilty of unprofessional conduct.</p>	<p>Ms. Turnipseed moved to accept ARC denial of reinstatement of Multi-state privilege on RN license. Seconded by Mr. Mills; motion carried</p>

<p><u>Kejuana McCutcheon</u> Not present</p> <p>Seeking Certification as Medication Aide Nurse Aide</p> <p>CNA License # 199926</p> <p>Original Date: 07/10/2020 Expiration Date: 7/13/2022</p>	<p>9/23/21- ARC meeting with recommendation for denial of Certification application for Medication Aide:</p> <p>Denial based on:</p> <p>T.C.A. 63-7-127 (h)(1)(A)(B)</p> <p>(A) Is guilty of fraud or deceit in procuring or attempting to procure a certificate as a medication aide.</p> <p>(B) Is guilty of a crime</p>	<p>Ms. Turnipseed moved to accept Denial of Medication Aide Application for Certification. . Seconded by Ms. Wyatt ; motion passed.</p>
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Debrief/Open Discussion/Other Business- Dr. Bouie- Ms. Wyatt lead the debriefing discussion at Dr. Bouie's request. The Board Members discussed the Board meeting identifying positive and negative aspects and what was learned from the process.

Adjournment:

Motion made by Dr. Malcolm to adjourn and seconded by Mr. Alston.

Meeting adjourned at 11:01 A.M.